G R.S. IX-5]

Previous references.

1919

( )

File No. 517-19.

Serial Nos. 1 — 21

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 21

Part B for October 1922

SUBJECT

Pesh Imam.

G. O. No. 1521-3—Muz. 517-19-21, dated 13th October 1922.

To—The Muzrai Commissioner in Mysore.
The Deputy Commissioner, Chitaldrug District.
The Comptroller to Government.

Passes orders regarding the appointment of a —— at Chitaldrug Town.

Printed on the Multigraph.

R.S. III-1]

1919-20

GENERAL AND REVENUE SECRETARIAT

(Mug)

NOTES.

File No. 517-19

FILE HEADING.

Appointment of a Pesh Imams in the Mosque at Chitaldrug.

From

The Mohamadan Public, Chitaldrug Town.

No. Petn	Dated 19-2-20		Received 25-2-20
Diary No. 1630	Enclos. 1	Spare Copies	[Serial No. 1

BRIEF ABSTRACT OF LETTER.

Submits a copy of the Proceedings of a general meeting held at Chitaldrug on 10-2-20 in the matter of appointment of a Pesh Imam for the Mosque at Chitaldrug.

NOTES AND ORDERS.

Mug: File 607-12-(1-12) on the subject is put up for reference. It will be seen from G.O. no. 2335/Mug 607-12-11 of 30-3-16 that the question of the appointment of a Pesh Imam for the Mosque has been promised to be considered after the

NOTES—First Sheet.

G. R. S. III-2)

General and Revenue Secretariat.

Mug File No. 577 of 1919.

Serial No.

1/

Death of the old Khazi. In Gr. O. no - 649-59 Mug 735-18-2 & 21-8-19 the appointment of Syed Mohiyuddin Hussani Badasha Sahib as Sir Khazi of the Chittaldrug Dt. in succession to his father, who was retiring on account of old age, was sanctioned, and he was also permitted to appoint, subject to the Dy: Comr's approval, a qualified person to discharge the Khazi's duties at the Masjid & town during his absence from Head quarters.

2. The grounds urged for the appointment of a Peish Imam now are (1) that as the town Khazi has been appointed as Sir Khazi of the Chittaldrug Dt., he will be frequently absent from Hd quarters; (2) that only on Fridays his brother Mogadum Hussain, a clerk in the Dt. Excise office, attends the Masjid and that on the remaining days of the week, people who go to the Masjid to pray, go disappointed; and (3) that according to the Mahamadan shastras, prayer has to be offered 5 times a day & each time there should be a Peish Imam to lead at the prayer.

3 In the last Session of the L. Assembly

NOTE—Contn sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Myg File No. 517 of 1919

Serial No.

W

The question of appointment of a Peshi Imam in the Masjids at Kolar, Bangalore, Mysore & Chitaldrug, was brought as a supplemental subject (No 284) and discussed - The 3rd Member of Council was pleased to observe as follows: -

"Wherever it is possible we shall do this - We cannot issue a general order. Individual cases brought before Govt will receive due consideration".

4 - So, the point for consideration and orders now is whether, as prayed for by the Mohamadan people of Chitaldrug, the post of Peshi Imam may be revived -

5. If approved, the opinion of the Hy: Court will be called for on the point, with reference to the G. O. of March 1916 referred to above -

89
1/3/20 RL
1/3/20

4. Myg: Files 81 of 1904-5 and 320-09-(1-7) have been traced and put up as also 729-09-(1-11) re appointment of a Mohamadan Myg: Inspector -

89
6.3.20 Hy
6/3/20

NOTE—Contn. sheet.

G. R. S. [II-2]

General and Revenue Secretariat. | Pun. File No. 517 of 1917

Serial No.

5. The Appointment of a Peh Imam for Chitaldrug is an old contested question which has been exhaustively dealt with in File No 87 of 1904-5.

6. After exhaustive inquiry, the Govt in Pro No 3626 of 16-3-05. finally decided not to have a Peh Imam but to place the Sarkhazi of Chitaldrug in sole charge of the Masjid & the conduct of the affairs.

Fl. Pun. File 87 of 04-5

7. The adherents of the Peh Imam however kept on ~~for a time~~ urging the revival of the Office - & finally. in March 1918 they were told that the question will be duly considered again on the death of the Old Khazi then in Office.

Fl X in File 607-12

~~8 Subsequently~~ the Govt in Pro No 649-50 of 21st Aug 19 ~~, Aug. 1919~~, the Govt. sanctioned the Appointment of Syed Mohidin Hussain Badsha ~~Saib~~ Sahib As Sarkhazi of Chitaldrug.

Fl. V in File 735-18

NOTE—Contn. sheet.

General and Revenue Secretariat.

File No. 517 of 1919.

Serial No.

~~Petition~~ in succession to his old father who retired from the Office on account of old age, and ~~order~~ in this order, the new Sunkhazi was permitted to appoint, subject to the Approval of the Dr. a qualified person to discharge the Khazi duties at the Masjid of Jam during his absence from Hoq.

9. It was ~~was~~ noted that at a General meeting of the Mohr. Juntee of Chitaldrug Town held on 10 Feb '20, it was resolved to approach the Govt. with a prayer for the early appointment of a Bch Brahmin.

10. The question was brought up at the Darbar Representative Assembly of Oct 1919. An Extract of the Representation & the Reply of the Govt is Appended.

H.-W.

Tozen) 20.3.20

G. R. S. III-2]

General and Revenue Secretariat.

1672

6

Prize File No. 517 of 1919.

Serial No.

11 This petn which purports to have been presented on behalf of the Mahomedan public, Chittaldrug town, Contains the prayer that a fresh Imam may be appointed. This question has been raised several times in the past and divergent views have been held.

12 It is necessary to obtain from the Dy Commr a report on the present situation and his views as to whether the prayer of the petn may be complied with.

13 May the petn be forwarded to the Dy Commr for report?

Second Member 11/3/20

5870-254. 11.3.20

14 Yes. An early report - a month except the rains when Inconvenience to the Inspecting Officer would be caused by going to Chitaldrug.

15 Draft 15/3/20

15.3.20

ST 15/3

NOTE—Contn. sheet

G. R. S. III-2]

1791

7

General and Revenue Secretariat.

My File No. 517 of 1919.

Serial No.

2 From the Mahommadan Community, Chitalong, dt. 12-3-20.

Represent that at a general meeting of the Mohammadan Community held at Chitalong on 5.3.20 Mr. Syed Abdul Khalek Saheb has been unanimously elected as Peish Imam for the Mosque at Chitalong and pray that the ~~elec~~ selection may be recognized.

16 The file 517-19 on the question of ~~a~~ revival of the appointment of a Peish Imam ~~to~~ at the Mosque at Chitalong ~~has been~~ was subd. to the Member on 10.3.20.

SD 13.3.20 Dy 13/3/20 AMT 13/3/20

(Seen) 17

18 Secd Member TJ 13/3/20

19 Draft letter to D.C., as directed in the preceding page, is subd. for approval.

SD 16-3-20 Dy 16/3/20 20. AMT 20/3/20

(Seen) 21 Secd TJ 26/3/20

AMT 26/3.

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

File No. 517 of 1919.

Serial No.	
3.	To, The Dy. Comm. Chitaldrug Dist. No. 3319 dt. 31.3.20. Forwards the petn. & calls for report within one month & as to the petitioners' request etc
4	Petn. Telegram dt 22/5/20 and petn. dt 26/5/20 from the Mussalman residents of Chitaldrug stating that they do not want a 2nd Peish Imam appointed by the acting Dy: Commr. Mr. Syed Taj Peeran to the Jumma Masjid at Chitaldrug, that the Peish Imam appointed by the Sir Khaji will quite do. The points urged in this petn. are:- (1) That Mr. Syed Taj Peeran, acting Dy: Commr., has recommended Syed Abdul Khalak Sahib as 2nd Peish Imam on a remuneration of Rs 3/- p.m. in the Jumma Masjid at Chitaldrug; that they protest against this expenditure from the funds of the Mosque merely to provide for a contingency i.e., the absence of a professional leader at prayer at any time - which has not risen even at one time for the past 24 years; and that there are other more urgent needs of the Mosque, which [illegible]

NOTE—Contn. sheet

(9

G. R. S. III-2]

General and Revenue Secretariat.

Mug File No. 577 of 1919

Serial No.

a better claim on its resources.

2) That the right of appointing & dismissing a Peish Imam has always been vested in the Sir Khazi and this right has duly been recognized in G.O. No. 649-50/Mug 735-18-2 & 21/8/19 and the D.C. has approved of the nominee Peish Imam made by the Sir Khazi.

3) That the appointment of Syed Abdul Khalak Saheb as Peish Imam will revive the factious spirit, which is dying out

4) That it is not desirable to create sinecure for the Peish Imam, when there is no emolument to the person who leads at prayers 5 times a day.

5) That the proposals of Mr. Syed Haj Peran are unwarranted.

23 The previous petns urging the appointment of a Peish Imam to the Masjid at Chitaldrug have been forwarded to the Dy: Comr for a report in Sl 3 of this file. A reminder was also sent on 5.5.20. The report is still due.

24 The present telegram & petn

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Mg. File No. 517 of 1919.

Serial No.	
	against the appointment of a Peish Imam -
	Draft forwarding the petn to the D. C. in continuation and calling for an early report is subd for approval or orders -
	SD 30-5-20
5	From the Dy. Com.r, Tick Encl. Letter No. Je. 393 Rev. dt. D C.

NOTE—Contn. sheet.

(11

G. R. S. III-2]

General and Revenue Secretariat.

Jmz File No. 517 of 1919

Serial No.

1 The petn of one portion of the Musalman community of Chitaldrug protesting against the proposal of the Dy: Comr re the appointment of a 2nd Peak Imam, has already been noted upon - (Sl. 4).

2 The grounds urged for the appointment of a 2nd Peak Imam are that the nominee of Sir Khaji being a Govt servant cannot possibly attend 5 times regularly and that the other is yet young and slaughters sheep and as such he is not qualified to lead at the Namaz -

3 In para 10 of his letter the D.C. observes that if members of the same family are appointed in an institution, any short comings or irregular attendance and consequent inconvenience caused to the congregation may not come to the notice of the authorities - With regard to this objection it may, perhaps, be noted that cases of irregularity or inconvenience may be brought to the notice of the

NOTE—Contn. sheet.

(12

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General and Revenue Secretariat.

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authorities by the people who congregate at the Masjid.

2) as the Muhamadan community of Chitaldrug are not unanimous on the question of the appointment of a Pesh Imam; and if one is to be appointed, he should only be subordinate to the Sir Khaji, it is a point for consideration and orders whether, instead of appointing a 2nd Pesh Imam, the Sir Khaji may not be directed to make satisfactory arrangements for the conduct of Namaz in the Masjid and also to attend to other necessary duties, and informed that if otherwise, Govt will have to appoint a 2nd Pesh Imam as recommended by the Dy: Comr.

3.6.20 30 Govt leave in their order No. 649-50 mur 735-18-2 dated 21.8.19 approving the appt of Syad Mahiddin Saheb as Sir Khaji of Chitaldrug &c and left the appt of 2 Pesh Imam to be made under the advice of the Dy Comr

NOTE—Contn. sheet.

General and Revenue Secretariat.

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Serial No.

to discharge the duties of Khazi in the town of Chittalrug and at the Masjid there. In pursuance of this order, the new Kazi has appointed his own brother to attend to the duties of the Khazi in the Chittalrug masjid, and their appointment is stated to have been recorded by the Kazi by com-

31 The Kazi not evidently satisfied the election of the Muhammadan community who held two meetings and have recorded the resolution that the Khazi appointed by the late Khazi is his own brother Syed Mokhdum Ghaus Sab and a fit & servants he cannot lead the Muhammadans every day prayers but attends to this duty on Fridays, and the aged Abdul Khalak Sahib may be appointed Resh Imam in place of the late Khazi's brother.

32 In order to allay the discontent among the Muhammadan community the aged Taj Peran recommends the appointment of another Resh Imam to attend to the duties in the Darga Amir Masjid whenever he

* a clerk in the D. Excise Office

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

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Serial No.

No work in the Chitaldrug Masjid.
He is to be Imam Pesh Imam
while the Lenkhagi's brother will
be Awwal Pesh Imam; the Imam
Pesh Imam being paid Rs 3 per month
from the funds of the Chitaldrug
Masjid.

33 There is a petition against
this recommendation also evidently
from the Lenkhagi party stating that Mr. Syed Taj peeran was
not on friendly terms with the
Mr. & thereby the situation proposed
that his proposal to create another
Pesh Imam's appt. is beset with
further difficulties and may make
the breach between the two factions
more serious, as the Haj proposes
to pay from the Imam Imam Rs 3
from the funds of the Chitaldrug Masjid
while the Awwal man gets nothing for
his work, is not a proper charge on
that Masjid, but should be borne
on the funds of the Kaza lands maind
where he has to work. This Mr.
says that the present is wrong &
is working to alter factors and that
the proposal of Mr. Syed Taj peeran
should not be sanctioned.

X
Mr. B 265-20

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

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34 The Sesh Imam's duties as seen from the Proc^s of the meeting of the Muhammadans held on 5.3.20 are onerous and responsible & should be discharged by a competent & whole time man.

35 If approved, the present Dy Govt. Mr. C Venkatarama may be requested to hold a personal enquiry and submit a comprehensive report with his own opinion on the following points:—

1) Is the Sesh Khazi's brother who is said to be a Govt servant capable of discharging the duties of Sesh Imam & can he devote as much time as he ought to for the purpose?

2) What are relative qualifications of this man & Syed Abdul Khalak Sahib whom a large section of the Muhammadans want?

3) Are two Sesh Imams nec?

4) Cannot a compromise be effected between the two factions by the Sesh Khazi being persuaded to appoint Syed Abdul Khalak in place of his brother who is already a Govt servant? ~~Hoodoo~~ ~~Hoodoo~~ Constitution proposed by Mr. Carthew

NOTE—Contn. sheet.

General and Revenue Secretariat.

File No. 517 of 191 9.

Serial No.

to be sent up to Govt., which will satisfy all parties & end the long standing feud between the two factions at York.

SL
4/6/20

86 For orders.

The proposal to employ a second Pers. Inam on an allce of Rs 3/- will only tend to complicate these factions disputes further. The Dy C does not say how the allce is to be met - whether from the funds of the Mosque or from the emoluments of the Khazi - In either case, the Arcal Pers Inam is not to get anything +. Such an arrangement may not prove satisfactory.

87 We first have already decided that a Pers Inam is not necessary - The Dy Comr's report is not clear as to the necessity or expediency of modifying the Order -

88 Certain petrs have

Note—Contn. sheet.

Serial No.

also been rep. against the Dy Com^rs proposal — H. E. is a Comm^r. asking for the appointment of a Rs 2 man.

Dosey)

9-6-20

— 39 Formerly Syed Sibea — Ghulam Hussaini Saheb was doing the duties of Sir Khazi of Chitaldrug Dt (except Chitaldrug town) while his son Syed Moiyaddin Hussaini Badsha Saheb was attending to similar duties in Chitaldrug town. As the former became very old and unfit for work, the latter was appointed on 21 August 1919 as Sir Khazi of the whole Dt in succession to his father and he was also permitted to appoint a deputy to discharge his duties in Chitaldrug town on the occasions of his absence elsewhere.

40 Once upon a time there was not only a Sir Khazi here there was also a Peish Imam in Chitaldrug but the latter office was done away with on 16 March 905. Each of them had a following and

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Inner—File No. 517 of 1917

Serial No.

There have been two factions
41 regarding the Mahomedans of
Shutalding Kaigan.
Order dated 21 August 1917, the
Sir Khazi has appointed his brother,
who is a clerk in the Deputy
Office to attend to his duties in
Shutalding town during his absence
from it, and a number of
Mahomedans belonging to the Peria Kaigan
complain that this deputy has not
attended to his duties satisfactorily
and that the Peria Imam Dukhi
is not a proper person to be
District Kazi as the Peria Imam
Conscience has been left
42 The office of
Mr Lock Jat Peiriyan is
that the Khazi's brother may
regarded as Dual Peria Imam
and another appointed
Imam Peria Imam
attend to the duties of
office during the absence

NOTE—Contn. sheet.

Serial No.

the Pir Khuzee and the Head Pesh Imam and he also recommends that the Pesh Imam may be given Rs 3 per mensem. The Dy Comm's idea is that this office (Imam should be filled up from the members of the Quran Pesh Imams as can be seen from the following sentence of his letter:—

"This recognition of claims of the Pesh Imam is bound to give satisfaction to supporters and put an end to this long standing offend"

3 But there has been Pesh Imam since 1905 and is extremely doubtful if it is desirable to revive the office at this distance of time. The Dy Commr (vide his letter No 735-C/1918) shows in the Kutcauri Nama of 1811 by the Adalat Kutcherry to the grandfather of the present Pir

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Mer File No. 517 of 1917.

Serial No.	
	It has been laid down that the Kazis of Chitaldrug be exempted from attending the Sirkhazi and that its affairs may be managed by him personally or by any one deputed by him.
	(4) The performance of duties in Chitaldrug taluq exclusively in the Sirkhazi, should be regular to appear, duties personally to perform to the private Kazi.
	The fact that Sirkhazi the neglect of duties in performing his duties in Kazi has been Court has already
	(5) If Sirkhazi has made satisfactory arrangements for the performance of during his absence from which is likely to deputy is a clerk but Sirkhazi who is said time to go

a Peth Anjan

NOTE—Contn. sheet.

G. R. S. III-2]

2367 24(3)

General and Revenue Secretariat. New 2 File No. 577 of 191 9.

4

Serial No.

The Mosque he should be called upon within a given time — say a month or two — to make better arrangements and informed that in default his nomination would be cancelled and Mullers or Arrangements made by the Deputy Commissioner subject to the Board Member's approval

VJ

7469-194.
11.6.20.

Forwarded with compliments for favour of expression of opinion in matter.

Their Member.

Reed
12.6.20

7022
14.6.20

CG 12/6/20

47 This is a long standing dispute which has divided the Mohammedans of the district into two parties and I am sorry to learn that it has not been satisfactorily settled. So long as the settlement is not made in accordance with the principles of the Mohammedan Law, this dispute will continue & the fair point for determination of in this case is what are the rights and duties of the Khoja's or Sikhzi under the Mohammedan Law & in accordance with custom if any

NOTE—Contn. sheet.

R. S. III-2]

2431

2.

General and Revenue Secretariat.

MW File No. 517 of 1919.

Serial No.

required by the Muzrai dept. and [illegible] whether funds such repair if any, be [illegible] control your Mosque which properly vests in a Mutta walli. A note upon this subject may be kindly put up.

Asst
15/6 14/6/20

48 Submitted to the Second Member for perusal. A note will be put up as directed above and the file submitted to the Third Member.

Second Member 16/6/20

7649-113.
19.6.20.

Yes. Certainly. Early disposal endeavours be kept in view.

Asst
21.6.20. 21/6/20

57 Syed Nasimuddin Chitaldrug Rep. 2.7.20 Represents the urgent necessity of appointing a Peish Imam to the Chitaldrug masjid and prays that Syed Abdul Kalam who enjoys the respect & confidence of the Mohamedan population of Chitaldrug may be appd. Peish Imam

Second Member's order.

To 1/13 Dec[illegible]

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. | of 191

Serial No.

In continuation of Previous minute.
In succession of papers may be expedited.
Sd P.R. 2.7.20.

Third Members order (as minuted on K.P.)
The Secretary with compliments.
Sd M.M.S. 2/7/20.

Legs order work up at once.
Sd T.L.J. 2.7.20

57 This K.P. makes it plain that the appt of a Peth Imam for the Mosque is very necessary, that the duties of the Peth Imam are religious and those of the Khoja are secular + Judl in their character. The Sec Khoja has appd his brother as his deputy to attend to duties (secular) in the Courts while he is engaged in the District Muzroomi. This appt should not be confused with that of a Peth Imam who duly it is to lead the Congregation at prayers.

5-2 Further the K.P. does not think a salary Rs 2 & the Peth Imam who his said has not at any time drawn any salary.

5-3 The resolutions recorded at two meetings held at Chikaldong on the matter, the present K.P.

NOTE—Contn. sheet.

Serial No.

and the Hajj Comm. (Mr. Secy Tayeeran) all are in favour of Syed Abdul Khaleq being appointed Peshimam.

Kind attention is invited to page 219 of the New manual where the Peshimam's duty is specified thus:— "Peshimam who stands at the head of the gathering and guides them in performing Namaz".

On Page 219, the Khaziz duties are mentd. thus —

1) Performing the ceremonies connected with the Shaadi (Nikka marriage)
2) Performing ceremonies connected with the Talak (Divorce)
3) Dealing with religious questions when doubts arise regarding them (Masla maaz.)
4) attending to duties relating to funeral ceremonies.
5) Performing Juba to the duties connected with the cutting of Sheep.

The Jud. duties of the Khaziz have ceased after the Establishment of Courts by Govt.

In these circumstances, the office of Peshimam whose duties are quite distinct from those of Khaziz does not necessitate the office of Abdul Khaleq as such being [illegible].

NOTE—Contn. sheet.

S. III-2].

General and Revenue Secretariat.

File No. 547 of 1915.

Serial No.

Seem, to meet the ~~Jumah~~ approval of the Mahomedan Community of Chitaldrug, Jagalur & do he was doing the duties of Peth Imam before his appt was suspended.

Subt for order.

BL
3/7/20

Since draft to Imam Supt asking for Copy of Imam Regr. pertaining to the last grant of Rs 174-8-0. to Khazi of Chitaldrug & to obtain with further reports asked for

AMT 8/7/20

8 56 To, Supdt. of Imam Settlements.
No 70 Dy. 8. 7. 1920.
Calls for Copy of Imam Regr pertaining to the grant of Rs 174-8-0 to the Khazi of Chitaldrug [illegible]

19 57 In the Imam Supdt No 9 Dy 17.7.20
Sends copy of the Imam Regr asked for above
Subd for orders

BL
14.7.20

NOTE—Contn. sheet.

26-1

J. R. S. III-2.

General and Revenue Secretariat. | Mecca File No. 517 of 1919.

Serial No

58. Kazee — Para 67 Supra

Explanatory note put up.

AHD
23/7/20

Agency?

The duties of a Kazee are set forth at pages 334 & 353 of Grady's edition of Hamilton's Hedaya and are also specified at page 219 of the Mayne Muzaraj Manual. There is nothing in them to show that a Kazee has any religious duties to perform at a Masjid or has any control over it. A Mutwalli is a trustee or Superintendent in whom the legal ownership of an endowment is vested (vide 374, Wilsons Digest of Anglo Mahomedan Law). A female and even an infidel may be a Mutwalli though they cannot hold the office of

NOTE—Contn. sheet.

General and Revenue Secretariat.

Govt File No. 517 of 1919.

Serial No.

Vazirdeenpushin (male 377) appointed to Imam is an officer appointed to conduct public worship (vide 543) or service in a Mosque (vide 389). So far as the Chitaldrug Masjid is concerned, there is no Mukyatti (vide Dy Commrs d.o dated the 24 inst); nor has there been a Peth Imam for the past fifteen years. The Khazi of his Hail begins to be doing the duties of Imam also.

Mud Member 26/7/20

Write the full titles of the books:—

1) Sir Wilson's Digest of Anglo Muhammadan Law.

2) Hamilton's Hedaya by Grady.

Nos 535 & 199 of the Chief Court Library.

688 / 22.7.20

Sir Wilson's Digest ... Rs. 30/-/-

6. He has in full and his statement you had contained much in correct part. I would like Shams a copy of the Sanad upon which the Khazi claims it based. If there any thing in it which that you pass confirmed was of a hereditary nature and that it vested in the Khazi his custody over the management of the Mosque. Mr Lindsay must in his letter dated the 19th May 19[illegible]-2

NOTE—Contn. sheet.

General and Revenue Secretariat.

MW File No. 57 of 1919.

Serial No.

upon the passage in that Sanad which permits upon his predecessor was his 'upasis' & called during Durbar. I would like that statement to be enquired

Ahl
30/7
AHL 30/7/20

Sir. Paper H Q. in File 1569/1918 is said to be a true Copy of the Sanad of 1874 - & approved. The Thakur Saheb will be asked to produce the original for perusal -.

778/31-7-20

AHL 30.7.20

Third Member)

-.

Sir I see nothing in the Sanad to show that his appointment depended in 1914 & his khangi upon his predecessor - khangi grandfather was a hereditary matter - Here I would like to know what the appellant khangi will have to say upon his point. The Sanad does not also show that his suspension & conduct of his Mosque was also regarded in him. For a satisfactory disposal of this case I think both the parties should be heard

NOTE—Contn. sheet.

General and Revenue Secretariat. | Meer File No. 51 of 19 16.

Serial No.

If his 2nd number be desires I shall have no objection with him to hear his appeal. But if he is not agreeable to this course I wants my opinion to be recorded, I shall have no objection whatso.

Illegible
7/8.

884-197
10.8.20.

Second Member).

Illegible
9.8.20.

I am obliged to the Hon'ble Member for his suggestion above. I should be only too pleased to hear the parties in this case with him & to have the benefit of his opinion in the matter.

When I was at Chitaldrug last week, I paid a visit to the Mysore Palace & the things & other memorials of the Tipu Sultan connecting the place. They made a pathetic appeal to me at the time & said among other things that they had been for a long time in possession of the Palace & that it was practically the only thing left to them of their former glory & I hope the date is practically for hearing, if the

NOTE—Contn. sheet

G. R. S. III-2]

General and Revenue Secretariat.

Meer File No. 57 of 19 9.

Serial No.	
	Some Mah. Chs D.O. may be written & Enquiries made if the parties have been able to effect a settlement & Letter they should have an order of Court in the matter. Further action may be taken on receipt of this reply.
	Put up. 16.8.20
67	For perusal. Secd Member. 16/8/20
68	Shown to Rajah - Public Service Commissioner. Will see Commissioner
	ST 17/8
	Put up a draft 17/8. 17/8/20
70	Draft letter to D.C. [illegible] (Records need not be sent to the Dy Comr. They may be retained here)
	Secd 18/8/20
71	Secd Member 19/8/20
	O.J.O

1194 17.8.20

NOTE—Contn. sheet.

J. R. S. III-2)

General and Revenue Secretariat.

File No. 517 of 19[illegible].

Serial No.	
1122-121 19.8.20	72 draft approved Peel 20.8.20 73 [illegible] 21/8/20
10.	To by Comm. Chitaldrug No. 714 dy. 24.8.20. Enquires if the two factions among the Mahomedans of Chitaldrug have come to terms or not. So, whether they still require Govt. interference in the matter.
11	From the D.C. Chitaldrug Letter No. Sc 3y3 dy. 29.8.20 dy. 6.9.20 Encloses a copy of his office memo giving a history of the case from the outset & till quite recently & requests by Govt. as to trying and concluding the latter by arbitrary [illegible] parties may be [illegible] to the [illegible] Govt. [illegible]

[illegible] 24/9/20

Note—Contn. sheet.

G. R. S. III-2,

General and Revenue Secretariat.

File No. 517 of 1919

Serial No.

75) Ref. para 66: (Second Member) U/25/9/20

1991-211
28-9-20

76). Under the circs. detailed in the D.C.'s Note which discloses certain interesting features in the history of the case, I am inclined to agree with the D.C. & think things lie as they are. Moreover no case for any intervention at this stage has also been made out.

Rees
29.9.20.

Allen 1.10.20.

2229
2.10.20

77) (Third Member).

78) The history of this case given by the Deputy Commr in his memo does not show that his ~~order~~ existing any agreement has been working well for say 10 years. The ~~Khan Bahadur~~ ~~application~~ ~~dated~~ ~~Deputy~~ ~~appointed~~ ~~Khan~~ ~~place~~. The Deputy Commr. evidently recommends his appointment of a Magistrate of First Class or his Naib-Wakil of a respectable Pathan status

NOTE—Contn. sheet.

G. R. S. III-2

General and Revenue Secretariat.

Misc. File No. 517 of 1919.

Serial No.

matter in connection with the order passed which gives these powers to appt a qualified person to discharge the duties of Khazi in the Mosque. What are the duties of a Khazi in the Mosque? There has not been for a long period and depending laid down and by under rules of what person whose the Khazi duties has been allowed to exercise powers of appt which he does not possess. Would like to know if that order is based (1) upon the terms of the Farman (2) upon the Mamool of any & (3) upon the provisions of the Mohammedan Law. If that order is followed as a precedent it will destroy the existing rights & peoples in all the Mosques and will give rise to endless trouble. If the Commandant & the Taj Begum are not to take any part in the petitions presented by the Anjuman members & there pro. testing appt that order can be heard and disposed of -

Sd/-
4/10/
Amt
4-10-20

Secretary (Second Member)
P.T.O.

NOTE—Contn. sheet.

General and Revenue Secretariat.

Mus File No 517 of 1917.

Serial No.

2130.91
5.10.20

79) In view of the opinion expressed by the Hon'ble Member I have no objection to the case being posted for hearing & to the parties heard before case is disposed of finally, as the main contention has been held by Encamage - a partners spirit - This accounts for the suggestion made in my minute of 29.9.20.

Asst
6.10.20.

Hon'ble Member)

AM 6.10.20.

2364
7.10.20

80) I agree.

Secretary

81) For issue of instructions about the date to which the hearing of this reference should be posted
Hon'ble Member) WJ 8/10/20

2195/56
9.10.20.

82) Some time in January next. I think preferably the third fortnight.
Asst
12.10.20.

83) 22 Jan 1921, if it is not a holiday
WJ 13/10/20

AM 14

NOTE—Contn sheet.

G. R. S. III-2)

General and Revenue Secretariat.

Mug File No. 517 of 1919.

Serial No.	
	84) ... Ltr. to D.C. Chitaldrug, dt. 18-11-20
12	to the D.C. Chitaldrug, letter no 1770 dt 22-11-20 Requesting him to issue notices to the leading men of both parties of Muhammadans at Chitaldrug to appear before Govt. on the 22-1-21, as Govt. intend to hear them before finally passing orders in the removal of Parshvanath Swami from ...
	85) ...
	86) ... Tank be repaired ... Pond Lake in March

NOTE—Contn sheet

G. R. S. III-2)

276

General and Revenue Secretariat.

Mis. File No. 517 of 1919.

Serial No.	
13	To the D.C. Chitaldrug., No 2396 & 11-1-21. Intimates that the case ~~could not~~ cannot be heard on 22-1-21 and that the adjourned date of hearing ~~will~~ would be intimated later on.
87)	In accordance ~~with his~~ with the orders of the 1st & 2nd Members of Council that the case may be posted for hearing on ~~the 1st~~ 21st Sept. 1921, a draft letter to the D.C. Chitaldrug, requesting him to cause notices to be issued to the leaders of both parties to appear on that date, is subd. for ~~orders~~ approval.
89)	25/8/21. BL
	25/8/21
88)	Dsml 25-8-21

NOTE—Contn sheet.

(37

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Subd:

89) Muzrai appeals have been posted for hearing on the 18th & 25th of July 1921.

90) The Case re the appointment of a Peak Imam in the mosque at Chitaldrug has to be hear by the present First and Seco Members of Council.

91) Rev: Appeals are proposed to be heard on the 11th, 18th & 2 July 1921.

92) Orders are solicited as to the date to which the above case may be posted for hearin

89
14.6.21

RL
14/6/21

6739-38
17.6.21.

93) The Enclosed postcard is returned. Whether Muzrai or Rev. subsequent orders with regard to the personnel of the Bench may be awaited or same may be fixed.

19.6.21

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

94 Subd. for orders as to the date on which the case may be posted for hearing by both the members of council.

SD 2/7/21 95. May this case be posted for hearing on Saturday the 24th July 21?

SL 2/7/21

N B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

(39

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

96) Mr. Subbadar (I.A & 2d member of Board) is requested to kindly ascertain the date most convenient to the 2d member for hearing this case and intimate the same to the Manager concerned for enabling the Govt to issue notices to parties &c

BG
30/7/24

97) Wednesday, the 21st September, (3 p.m.) will be convenient to the Second Member

Recd 23.7.24

ADC 23/8

To the Supdt, Rural Sects with Compliments.

Subd. for orders

BG 23/8/24.

Shall this appeal be posted to 21 Sep for hearing?

First Member

BG 23/8/24

1323-185
23.8.24

N B —Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form

(Fo

276

G R S. III—3]

ROUTINE NOTES

[To be used only for notes requisitions, etc, not intended for permanent record]

99) 21st September, Wednesday
with Secretary the First Member
also.

B.O.S
Mhamuthaq
24/8/21

Subject to Magnetic Seeg)
Issue notices to parties
100) concerned 24/8/21

N B - Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

W D 1800—GPB—1 60,000—2/5 21

(41

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Appointment of a Peshi Imam in the Mosque at Chitaldrug.

101) The case was fixed for hearing on the 21st instant by the two regd Members of Council

102) As the next Council meeting has been fixed provisionally for the 29th instant, action may be taken to prosecute the hearing of the case referred to.

As the dec[n] is not present in Station, the file is submitted to 2d. member for favour of orders.

17.9.24

20/9/24

103) To the Asstt. Treasurer for [illegible] of necessary.

17/9/24

17/9/24

104) Draft letter to the D.C. Chitaldrug is submitted

17/9/24

1906-

105) Don't approve a vehicle is admissible also has taken no leave at once

Seems Mendacity

17/9/24

A Write sent to Dy. C. Chitaldrug

17/9/24

Peon 20/9

P.T.O

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Telegram received from
Dy Comr. Chittalong on 19.9.24
is as follows:—

To The Dy Comr, Chittalong, Dtd.

S

107) Peth Iman case
Cannot be heard on
24th instant. Letter
follows.
Murrai Dec 7.

108) Subs Sec for personal - Letter No. 1505 dt 19.9.24
issued today.
Bly
19.9.24

N.B.—Should routine notes be written on small slips, these slips must be copied, or slips pasted on this form.

G. R. S. III-21

General and Revenue Secretariat. | Mussy File No. 517 of 1919.

Serial No.

109) The case re the appointment of a Peish Imam at Chitaldrug, which was for the 2nd time posted for hearing on the 21st instant by the 2nd & 3rd members of council, was adjourned as there was a meeting of the Executive Council that day.

110) It is subd for orders as to when the case may be reposted for hearing -
Some cases have been posted to 7th Nov.
SD
28/9/21 BL
28/9/21
(Illegible) 28/9/21

2133-2192
3.10.21

111) The case may be posted to some day - preferably a Wednesday or Saturday - in the first fortnight of Nov next. The convenience of the 3rd member may be ascertained previously
(Illegible)
2.10.21

112) In terms of existing rules about the date to which the appeal may be posted.
(Illegible) 2/3/19

Possible
- Ltr.

NOTE—Contn. sheet.
Subd to Murrai Secy.
The Third Member finds the
9th Nov (Wednesday) Convenient.
AOR

G. R. S. III-21

General and Revenue Secretariat.

Inw File No. 517 of 1919.

	Serial No.	
		(113) Pkt by the Dpl. Pl. posted to [illegible]
2393-29 / 19.10.21		(114) Vvo. Mis with Smt me also Pkt 25.10.21.
		(115) Draft Letter to the Dy: Comr is subd for approval. SD 26/10/21 Dy 27.10.21
		(116) Mme Laby and intimate to the Personal Asstt of both the members. N.J. 27/10/21
	16	To the Dy: Comr, Chitaldrug Dtt., Letter no. 1998 dt 26/10/21. States that the hearing of the Pesh Imam Case has been fixed for 9th Novr 21 & that the parties concerned may be notified to be present on that Date;
D 1696	17	From Syed Mohadin Hussain, Sis Khaji of Chitaldrug., Petn dt 2.11.21. States as the birth-day of Mahomed falls on 13.11.21, which is very near to 9th Novr 21, & that some preparations

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Mug File No. 517 of 1919.

Serial No.

necessary for the celebration of the birth-day, prays that the case may be adjourned to some day after the 15th.

Subd.

117) No reference has been made by the Dy: Comr in the matter.

118) Subd for orders as to whether an adjournment may be granted as prayed for by the Sir Khaja.

SD 4.11.24 SK 4.11.24

119. Second Member / First Member / 4/5/11/24

120. I have no objection. But I doubt if a convenient date can be fixed in the first fortnight of this month as there are several other fixtures for the period. The first week of next month (Dec) would, I think, be more convenient. This may now be submitted to the third member.

Recd 7.11.24

2/7/11/24

121) I have no objection

Subd 5/11

4/5/11/24

NOTE—Contn. sheet.

General and Revenue Secretariat.

Mun 3 File No. 577 of 1917.

Serial No

1/2 Subd for orders as to the date in the 1st week of Decr on which the case re Pesh Imam at Chitaldrug, may be posted for hearing.

SD 11/11/21 May the case be posted for hearing at 3 p.m. on Monday the 5th Decr 21?

Sd 11.11.21

2/ 2/ 2.12.21. Case "Heard"

12. May be posted to Wednesday 7th Dec if it suits the convenience of the Hon member also. There are some Rev. appeals to be heard on Monday 5th

Sd 12.11.21

Secretary

125 Hon'ble Member

2346 11 "

126. Sd 13/12/21

127. Hon'ble Member may order and inform the Private Secretary of both the Members.

128. Draft letter to D. Collr.

NOTE—Contn. sheet

SD 18/11/21 Sd 18/11/21 129. Let the records be sent to the Collector

G. R. S. III-2]

General and Revenue Secretariat. | Jud 2 File No. 517 of 1919

Serial No.

18 To, D.C. Chitaldrug Dt
No 2527 dt 18.11.21
States that the case is posted for hearing on 7.12.21 and requests him to issue notices to the parties Concerned

130. The file may now be sent to the Members' offices for note of the date of hearing viz 7.12.21.

SD
30/11/21

To P.A. to 2nd Member for Note & Return early
Rd
30.11.21

Dtd D.Nos. 2234 & 2257
W.P.A. to 2nd Member & Note & Third Member
Rd
30.11.21

19 From Syed Mohiaudin Hussain, Sir Khaji of Chitaldrug, Pet. dt 2nd & 4th Dec 1921
Prays that the ~~case~~ hearing of the case may be adjourned to some other date as his mother died of plague, & his sisters are laid up & he has been arranging to shift from his house-

131. Subd for orders as to whether an adjournment may be granted, under the circumstances represented. The date as to ~~when~~ which the case should be reposted, has also to be fixed
SD, Submitted for orders.
5.12.21

Rd
5/12/21

132) Yes. An urgent wire may be sent at once to the Dt Commissioner & the parties, if the third member also agrees.
Second Member
Third Member

Rec
6.12.21

NOTE—Contn. sheet.

read 12.25
6/12/21
Rd

P.T.O.

G. R. S. III-2]

General and Revenue Secretariat.

Mus File No. 517 of 1919.

Serial No.	
3161-5-6 5.12.21	133 Submitted to the Hind member with reference to the orders of the Second Member above. BG 6.12.21
3247 6/12/21	No objection Sub. 6/12
	An Express telegram issued today. BG 6.12.21
	134. Sub. to the Second Member for kind perusal. Orders are solicited whether the Dy Comr. may be requested to consult the parties concerned and report when it will be convenient for both the parties to appear before Govt., so that a suitable date may be fixed for the hearing. ? BG 6-12-21
3176-81. 6-12-21.	135 It is desirable to fix the period at least. It may be the first fortnight in Feby next. if the Hind member has no objection. (or the second) Rees 7.12.21.
3241 7/12/21.	Sub. to the Hind member. BG 7.12.21 136. [illegible]

NOTE—Contn. sheet.

R. S. III-2]

General and Revenue Secretariat. | File No. of 19 .

3233-138
9.12.21

Serial No.

137. Subt. to the Secretary Member for orders.
BG
9.12.21

138. I have no objection. A date in between the 5th & the 12th January next year may be fixed. There are some Rev. appeal papers in the second week. I think.
Secy
10.12.21.

139. Draft letter to the Dy Comr Attock fixing parties to appear before Secy on 9.1.22 which is a Monday is subt.
BG
10.12.21

140

20 To, Dy. Comr Attock.
No. 2900 dy. 15.12.21
Informs that the case will be heard on the 9th Jan. 1922 & that the parties may be informed of the same, & states that no further adjournments will be granted & the case taken up & decided that day even if the parties fail to appear.
Ins. The case has been posted for the 9th inst. The file is subt for kind perusal
BG
5/1/22

NOTE—Contn. sheet

S. III-2]

General and Revenue Secretariat.

File No. 57 of 19 19

Serial No.	
142)	Second Member & Third Member
3641-95. 7.1.22.	Subd
143)	The case was heard by the two members of Council on the 5th instant at 3 P.M. and the parties to the case were represented by their Advocates as well.
144)	The file is subd to the 3rd Member for orders, as per instructions of the 2nd Member.
	8/9 9.1.22
	8/6 9.1.22
3664 10.1.22.	Third Member

NOTE—Contn sheet.

S.2.0.

Serial No.

Order

145. The mosque at Chitaldrug is an old Muzrai Institution and neither of the contesting parties (the Sir Khazi and the Pesh Imam) has any personal hereditable interest in the same. The Sir Khazi of the Chitaldrug District has been by virtue of his office placed in charge of the mosque but his management not having been quite satisfactory, complaints have been made against him and Government had to interfere on several occasions to set matters right. The question of the appointment of a Pesh Imam to the Mosque is an old dispute which has not been satisfactorily ~~solved~~ and on account of which there has been considerable feeling against the Sir Khazi. Owing to differences between the then Sir Khazi and the Pesh Imam, the appointment of a separate Pesh Imam was done away with in 1905. The present Sir Khazi of the District, who was then the Town Khazi, was looking after the duties of Pesh Imam, but the adherents of the thrown out Pesh Imam never ceased agitating for his reinstatement. But so long as the duties of the Khazi were confined to the town of Chitaldrug there was no serious inconvenience caused to the Mahomadan public and the agitation in favour of the displaced Pesh Imam did not gain favour with the general public. But in 1919, the then Sir Khazi having ~~re-~~ ~~turned~~

NOTE—Contn. sheet.

Serial No.

retired from Office on account of old age, his eldest son who was looking after the duties of the Town Khazi was appointed Sir Khazi of the District and this necessitated the appointment of a separate Pesh Imam as his duties are of a touring nature and he cannot be expected to be present in the mosque five times a day to lead the prayers. Government in their order No. 2047 dated 21st August 1919, allowed the Sir Khazi to appoint a Pesh Imam subject to the approval of the Deputy Commissioner and the Sir Khazi chose his younger brother to the office who is stated to be an official in the District Excise Office, Chitaldrug. It is not known what the educational qualifications of this man are, but it was obviously impossible for him to attend the mosque regularly five times a day at the stated hours of prayers, two of which at least fall within his office hours. ~~The~~ This seems to have caused considerable dissatisfaction to the public and the old agitation in favour of the thrown out Pesh Imam has been revived.

16. The order of the Government which is likely to be construed as recognising the right of the Sir Khazi to appoint the Pesh Imam is based upon the recommendation of the Deputy Commissioner which unfortunately proceeds upon a wrong interpretation of the terms of the Sannad granted to one of the ancestors

G. R. S. III-2

General and Revenue Secretariat. | Rev. File No. 517 of 1919-20

Serial No.

ancestors of the Khazi in May 1814 by the Adalat Cutcherry. The Sannad is written in the Persian Language and naturally there has been some mistake in understanding the precise scope of its terms. The Deputy Commissioner says that under the terms of the Sannad 'the Kasba of Chitaldrug belongs exclusively to the Sir Khazi and that its affairs may be managed by him personally or by any one to be deputed by him'. This is not a correct understanding of the terms of the Sannad. The Sannad enjoins upon the Sir Khazi the duty to watch over the religious practices and observances of the people, to see to the education of Mahomadan youths and the spirtual welfare of the people and to appoint Naibs or assistants generally throughout the District for the conduct of Nikhah ceremonies and for performing the 'Zibah'. The passage referred to by the Deputy Commissioner literally translated runs as follows:-

"Besides the Kasba of Chitaldrug, there are twelve Taluks attached to the District of Chitaldru and all the Naibs of these places have been placed under your control". It is clear from the language of the Sannad that the Khazi has not been given the control and superintendence of mosques. Indeed such powers could not have been vested in him as under the Mahomadan law the duties of Khazi are dis-

NOTE—Contn. sheet.

R. S. III-2,

General and Revenue Secretariat.

Mar. File No. 517 of 1919-20

Serial No.

distinct from those of Mutuwalli who alone is invested with authority to manage the affairs of a mosque to which he may be appointed. The duties of the Khazi have been correctly laid down in the Muzrai Manual and the superintendence and control of mosques is not one of them. If it was intended in the Sannad to give what is technically called 'the Tawliat' to the Khazi the fact would have been specially mentioned in the Sannad given to him. In the absence of any such special authority conferred upon him, the Khazi cannot appoint Mutuwallies to mosques and the practice in the Muzrai Department is for the Government themselves to make such appointments in Government Institutions at Mysore and Seringapatam. The Government Order of 1919 will therefore be modified to this extent that the Deputy Commissioner in the Muzrai Department alone will appoint the Peish Imam of the Chitaldrug Mosque. Of course he will consult the Kazi and other respectable Muslim inhabitants before making a selection but it is not necessary that the Kazi should in the first instance make the nomination.

48. As regards the present incumbent of the office of the Peish Imam, the Deputy Commissioner may confirm him in his appointment if he resigns the service and is otherwise fit to discharge the duties of his

NOTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat. | Rev. File No. 517 of 1919-20

Serial No.

office. If he is not to be confirmed, then the Deputy Commissioner may appoint a man, preferably an outsider, who may be acceptable to a great majority of the people of Chitaldrug though not to both the parties. The Deputy Commissioner may fix a suitable salary for the Peish Imam out of the income of the mosque. The stipend given to the Sir Khazi is for the duties of Sir Kaziship and he is not bound to contribute anything towards the expenses of the mosque including the pay of the Peish Imam or Muezzin.

14. As regards the Syed Mohieudin whose claims for Peish Imamship have been urged by a section of the Mahomadans, it may be stated that he has failed to establish his heriditary right to the office. The Government had every authority to dispense with his services as they did in 1905 and in fact no other course was open to them under the circumstances of the case. The proposal of the Deputy Commissioner, Mr. Syed Taj Peeran, to appoint him as a 'Duam' or Second Peish Imam does not commend itself to Government.

12/9

I am in with compliments. 12/9/22

15. I agree.
I am obliged to the Secretary for the above.
16.9.22 16/9/22

2257-387.
15.9.22

NOTE—Contn. sheet.

[F. R. S. III-2]

General and Revenue Secretariat. | Mcg File No. 577 of 1919-20

Serial No.

151. Draft subd.

SD
19-9-22 BG
19-9-22

~~First Member~~ 152. The body of the order is an exact Copy of the minute of the Second Member dated 12-9-22
First Member) UJ 25/9/22

2923-549.
30 9. 22

~~xxxxxxxxxxxxxxxxxxxx~~ one or two revisions have been made of a minor nature. If the Second Member agrees, orders may issue accordingly. After issue file may be submitted for the information of the Secretary.

Mcg. Secy.
File should have been submitted for perusal of Second Member after I had recorded my minute of 16.9.22

Secretary
1-10-22

Second Member
With compliments

2155
2+1=3

Secretary
1-10-22

2160
3+2=5

2 ayes.
Secretary
2/10

Secretary
2/10/22.

NOTE—Contin sheet.

G. R. S. III-2]

General and Revenue Secretariat. | Muz File No. 517 of 1918-20

Serial No.	
21	To The Muzrai Commr in Mysore " Dy: Commr, Chitaldrug Dt " Comptr Mlre to Govt No: 1521-3 & 13th November 1922 Passed Orders re the Appointment of Pleader Imam of the Chitaldrug mosque. The file has now to be submitted to the Devarn Sahib for disposal vide First Member's minute & 1.10.22 24/10/22 Sec.

GOVT'S OFFICE
Received on OCT 23 1922
No. 23624

24/10/22

Files put up for reference in this Connection:—
Muz: 735-18 (1-2)
" 303-14 (1-4)
" 607-12 (1-02)
" 81-04 (Vol I)
" 81-04 (Vol II)
" 162-03 (1-14)
" 320-09 (1-7)
" 517-19 (Muz)
" 47-07
" 37-95
" 729-09 (1-11)

NOTE—Cont. sheet

N O T E.

The points raised in the Minute of the Third ---- Member dated 18th June 1920 are:-

(a) "What are the rights and duties of the Khazi or "Sir Khazi under the Mohomedan Law or in accord- "ance with custom if any recognized by the Fazi- "rai Department, and

(b) "Whether under such right if any, he can have -- "control of the Mosque which properly vests in a "Mutvalli."

2. As regards the first point, a Khazi is described in Wilson's Glossary as hereunder:-

"KHAZI:-A Mohomedan Judge, an officer formerly ap- "pointed by the Government to administer --- "both Civil and Criminal Law, chiefly in -- "Towns according to the principles of the -- "Koran; under the British authorities, the "Judicial functions of the Khazis in that -- "capacity ceased and with the exception of -- "their employment as the legal advisors of -- "the Courts in cases of Mohomedan Law, the -- "duties of those stationed in the Cities or "Districts were confined to the preparation "and attestation of the deeds of conveyance "and other legal instruments and the general "superintendence and legalization of the cer "monies of marriage, funerals, and other - - "domestic occurrences among the Mohomedans - "Bengal Regulation XXXIX,1795."

3. According to the Bombay Gazetteer, a Khazi is one who, under the Mohomedan rule, was the Civil and Criminal Judge and who now, except that he reads the public prayers on the days of the Ramzan and Bakrid feasts, is - little more than a Registrar of Marriages and divorces.

NOTE part II.

The office of Khazi is stated to be elective in Surat and Broach and hereditary at Ahmedabad.

4. In British India, the functions of the Khazi have been brought under Legislature. There have been successive enactments on the subject - the latest in --- force being the Khazi Act XII of 1880, which, though ini- tially framed for the territories of Fort St. George, has been extended to the Bombay Presidency and other parts India.

of Act-fl. I
&
of Select Committee
- Fl. L.

5. This Act is a short one comprising only 4 sections. It gives power to the local Government to appoin a Khazi for any local area, where a considerable number of the resident Mohomedans desire to have one; and also to suspend or remove any Khazi so appointed.

It empowers the Khazi so appointed, to appoint one or more persons as his Naib or Naibs and also to suspend or remove such Naib or Naibs.

Under the Act the Naibs appointed by the Khazi --- cease to hold office with the Khazi ~~of~~ one the latter's suspension or removal by the Government.

The Act finally declares that nothing therein shall be deemed -

(1) to confer any judicial or administrative powers on any Khazi or Naib Khazi.

(2) to render the presence of a Khazi or Naib Khazi necessary at the celebration of any marriage or the performance of any rite or ceremony

or (3) to prevent any one discharging any of the functions of the Khazi.

Fl E

6. The introduction of the Khazi Act in Mysore was once considered, but it was finally dropped. The file on the subject is said to have been destroyed. An extract of entries in the File Register obtained from the Legislative Branch is put up for reference.

Fl 3

7. Looking into the Old Records of the Huzrat Secretariat which are being sorted, I happened to find a --- stray Record, which is a copy of a letter dated 27th February 1880, addressed to the Secretary to the Chief Commissioner of Mysore and Coorg by the then Town Magistrate of Mysore (the late Mohomed Ali, K.B.) wherein he has stated in detail the duties of the Khazi — Hisfact of the

Fl 2(

8. With reference to the appointment of a Khazi for Seringapatam, the Government in Proceedings No.5172-0 dated 25th January 1906, have enumerated his duties as hereunder:-

hereunder:-

(i) Performing the ceremonies connected with Sha-i-di and Nikha marriages.

(ii) Performing the ceremonies connected with Talak --- (divorce).

(iii) Dealing with religious questions when doubts -- arise regarding them.(maslamasayi)

(iv) Attending to duties relating to funeral ceremonies.

(v) Performing Juba of the duties connected with the cutting of sheep.

9. As regards the second point the functions and status of the Khazi in a Mosque are not clear.

10. According to the Bombay Gazetteer, the Khazi is one of the five religious officers of a Mosque to whom are entrusted the religious duties in the Institution.

11. At the Inam Settlement in Mysore, the cash grants and land inams to Khazis have been registered as Devadaya Inam; and in Government Proceedings No.813/Muz. F.37-95 dated 3rd February 1896, the Government have held that the Khazi service partakes of the nature of religious service.

H T
File 37-95.

12. In para 5 of the Town Magistrate's letter dated 27th February 1860, it is said that the appointment of a Khazi in Towns will certainly present all sorts of seditious preachings in the Masjids by seditious travellers, but it does not state what his position in the Masjids.

H 3

13. File No.156-18 contains a record which purports to be a translation of the Order issued from the Adawlat Cutcherry of Mysore to Syed Mohomed Hussain Khazi of --- Chitaldrug in 1814. It lays down the duties which the Khazi should do, but it is not clear as to the exact functions or status of the Khazi in the Mosque.

H 4

14. Perusing File No.162 of 1903-04, it will be seen that the Khazi at Seringapatam has been declared by the Government to have no authority whatever over any of the Mohomedan Institutions at the place. In the Government Order appointing him, the Khazi has been directed to confine himself to the duties which strictly pertain to -- his appointment as specified (Para 8 supra).

15. The Khazi of Chitaldrug gets a Muzrai Cash Allowance of Rs.174-8-0, a year. According to the Inam Register, this allowance is for the performance of the -- Khazi service. The Inam Register makes no reference to the Mosque, though the Nagar Division Commissioner in his communication to the Secretary to the Chief Commissioner No.514/201 dated 26th December 1874, states that a monthly pay of Rs.14-8-8, is paid by Government to the Khazi of the Mosque.

16. The Deputy Commissioner in a Memo sent to the Government so far back as 9th April 1894, has explained the origin of the dispute in the present case and from this Memo it will be seen that the management of the - - - Mosque at Chitaldrug has been in the hands of the Sir ---- Khazi since 1870.

23.7.20.

HRR.

To

T.E.Jayarama Iyer, Esquire., B.A., B.L.,
1680 Muzrai Secretary to the Government of His Highness
the Maharaja of Mysore, B a n g a l o re.

Q 20
Rev
517-19 81

Sir,

I beg respectfully to bring to your notice that a petition was presented to His Highness the Maharaja on the occasion of his visit to Mysore on the 18th instant praying that a copy of the proceedings of the Committee appointed by Government to enquire into the affairs of the Sri Chamundeswari Temple, Mysore, and the Report submitted by the Committee may be furnished to the petitioners for their information. I am directed to request that you will be good enough to submit to Government a copy of the petition referred to above for favour of orders.

Read 25.2.20.
Sect-
Work up-

There is an old file - Search this Path Inam- tion a. Local petition despatch. / Mysore.

Please put up the file

25/2/20.

I have the honour to be,
Sir,
Your most obedient servant,
[illegible]
[illegible]
[illegible]
[illegible]

To

Sirdar, M .Kantaraja Urs, Esquire., B.A., C.S.I.,

D i w a n of Mysore.

B a n g a l o r e.

Most respected Sir,

We, the Mahommedan public of the Chitaldrug Town beg to bring to your kind notice that a General Meeting as to the necessity of the existance of a Peish Imam for the mosque was convened by us on the 10th February 1920 at Chitaldrug and beg to submit herewith a copy of the proceedings thereof for favour of your kind perusal.

In conclusion we beg to submit that the inconvenience we are put to, for want of a Peish Imam, is inexplicable and therefore we humbly ~~submit~~ solicit the favour of your early and favourable orders in the matter.

For which we will be ever grateful.

We beg to remain,

Most respected S i r,

Your most obedient ~~and~~ humble servants,

President on behalf of the Mahommedan Public, Chitaldrug Town.

Chitaldrug
/9 Feb. 20.

10 గొ ళ్ళ రూపికి పిరుళ్ళ - -

1. ళ్ళటవర్ణాళ్ళాభిళ్ళ్రుసుల్యానరకాలబిందప్రళి
ఆనిరువళిందుచుగుజ్ళదోన్నిరుళ్ళ - - - - - - -

2. ళ్ళటవర్ణాళ్ళాళ్రుసుమూరునాళ్ళనూరుచుసల్ళాళ్ళే.
ప్రజీగళ్ళుళ్ళ దద్ధనిరుళ్ళ - - - - - - - -

3 ళ్ళమడుజ్ళదోన్నాళ్ళఅనుసిక్కినవాని ప్రళ్ళిళ్ళరంవాద
ళ్ళాళ్ళోన్నిచుంచేన్నిద్ధుళ్ళగళ్రుసుమూరు ఏళ్ళుబిండాల
చవట్టిగళ్ళకీళ్ళగళికారణాంకరగళ్రిందరక్షిప్రిళ్ళోనిరుళ్ళ.

4 ఆలంకాయ్యటవర్ణాజిందువరుసాధారణావాని
యిమామశోకీల్లానడిచుశ్శాన్నిద్దరుపదరియువరు
గూలిసరోజియానిన్నిరువదరిందయుపాగలుసం
ఓకర్ణబంచ్ళాలరువగలంళ్ళ యివుచుశోకీల్లవుళ్రు
ఓంళ్ళ వానిందకరుచూళ్ళనిరుళ్ళ. ఈన్లబేరుళ్ళర్ణవా
రళింగుదినమాశ్రుపదరిజియుపరకమ్మంబిరాద
డిశ్శ్రీళ్ళో యుస్శ్రీజో ఆభిగ్రాళ్ళాంకేగి మి॥ మోశేచుంళ్ళ
చ్ళగీసన్నారుజు మ్మనచమూజుశేమూశ్రద్ధాళ్ళగుశక్తిరి——
ప్రశినిశ్రీళ్ళపూనచమూజుశీబరువఆశ్రీళ్ళకిజనచీళ్ళాంచు
నల్లాంధశవ్వభేశికారణావాత్రుళ్ళనిరుళ్ళ——

5 చుముడుయుదిగాళ్ళగప్పకొర్ళకోరుళ్ళాంక్ళునచమూజు.
చుంగుచుదుచుళ్ళున చుమూజు కాలగ్నుళ్ళచుంబొద
ళ్ళ - నిరుచుంళ్రగళ్ళన్నాలబళిరిచుశ్శాదచు జు
చుండినరశక్తిన్నిబీళ్ళకోయుచుంచేంన్నిరరశక్తిచ్ళ్ళన
చు ప్రళ్ళవళ్రిళ్రవాసిరుళ్ళ - - - - - - -

సకల దేవతా సన్నిధిలో ఎంతో వైభవంగా శ్రీ
వారి వార్షిక బ్రహ్మోత్సవాలు అత్యంత శోభాయమానంగా
జరిపించిన మీకు నా అభినందనలు. ఈ బ్రహ్మోత్సవాలలో
స్వామి వారి సన్నిధిలో మీరు చేసిన సేవలు మీ
కుటుంబానికి ఆయురారోగ్యాలు ఐశ్వర్యాలు
ప్రసాదించాలని కోరుకుంటూ

సంయుక్త కార్యదర్శి

కుటుంబానికి ఆయురారోగ్యాలు ఐశ్వర్యాలు
ప్రసాదించాలని కోరుకుంటూ

సంయుక్త కార్యదర్శి

To

T. E. Jayarama Iyer Esquire, B.A.,B.L.,

17191 Secretary to the Government of His Highness

the Maharaja of Mysore, Bangalore.

Most respected Sir,

[illegible] public of Chitaldrug beg to bring

[illegible] here

[illegible]

[illegible] to secure [illegible]

may be duly recognised [illegible] Concerns [illegible].

[illegible]

[illegible] request [illegible],

[illegible] servants,

[illegible]

on behalf of [illegible]

Committee, Chitaldrug.

Sect

Recd/12.3.20.

Continue note.

12/3/20

చిత్ర దుర్గాధిదేవత పరోక్షములకు పత్రికాముఖంగా

చిత్రదుర్గ మున్సిపాలిటీ రిప్రజెంటేటివ్ కౌన్సిల్ 5-3-1920 తేదీన జరిగిన

కౌన్సిల్ సమావేశంలో తీర్మానించినది.

సమావేశానికి శ్రీయుత జగన్నాథం పిళ్ళై గారు అధ్యక్షత వహించారు.

చిత్రదుర్గం మున్సిపాలిటీ ఎన్నికలలో ఘనవిజయం పొందిన తరువాత ఈ సమావేశానికి ముందే ఎన్నికలు జరిగిన రోజే ఈ విషయమై కొన్ని సంగతులు ఆలోచించడానికి ఒక సమావేశం ఏర్పాటు చేసుకోవాలని కొందరు సభ్యులు అభిప్రాయపడ్డారు. అయితే ఆ రోజు ఎన్నికలలో పోటీ చేసిన అభ్యర్థులు అందరూ

To

The Deputy Commissioner,

Chitaldrug District,

CHITALDRUG.

No. 1[illegible]

3319 Encl four
Judg. 517-19-3
31.3.20.

Sir,

I am directed to forward herewith a petition dated 10th February 1920, from the Mohamadan Public of Chitaldrug submitting copy of Proceedings of a General meeting held at Chitaldrug on 10th February 1920, and requesting early orders on the proposed appointment of a Peshimam for the Mosque at Chitaldrug, and to request that you will be so good as to furnish the Government with your views as to whether the petitioners' prayer may be complied with in the present legal situation on this long contested question.

2. Another petition received on the 12th instant from Abdul Khalak stating that he has been elected as Peshimam and requesting recognition of the election is also forwarded for report.

3. It is requested that the report to this communication may be submitted within a month.

I have etc.,

Secretary to Government,
Public Department.

Fair draft)

TKR.

Received 29-5-20

Dated 26/5/1920

517-18-4

To

The Muzrai Secretary,

B a n g a l o r e.

Please put it up after the visit 29.5.20

S i r,

We, the undersigned Mussalman citizens of Chitaldrug, being given to understand, that Mr. A.K.Syed Tajpeeran, Officiating Deputy Commissioner, Chitaldrug has made a recommendation, just a day before he handed over charge to the permanent Deputy Commissioner Mr.C.Venkata Rao, who had proceeded on leave for a month and ten days, to the effect that Peish Imam Syed Abdul Khalak Sahib be made a Duam or 2nd Peish Imam on a remuneration of Rs 3/- per month in the Jumma Muszid at Chitaldrug, beg - respectfully to submit as follows:-

That without in any way questioning the bonafides of Mr. Syed Taj Peeran and his high motives to bring about a comprom between the two factions over this vexed question and with due respect to his position we beg to submit that Mr.Syed Taj Peer stay in this District was too short to make him realize the situat here fully. In his desire to effect a reconcilliation at any cost he did notpay sufficient heed to the past history of the movement nor did he consider the latest order of Government Order No. 649-50/ Muz.735-18-2 dated 21-8-1919 on the point nor was Mr. Syed Taj Peeran fair and equitable in his proposal.

That the reference i.e. the petition of Khader Mohidin Sahib and others was received by Mr. C.Venkata Rao for enquiry before he went on leave and that officer had partly enquired into the matter and was conducting further enquiries when he went on leave. Mr. Syed Taj Peeran had sent for the parties and heard them on an afternoon. The time was too short for them to make their full representation. There was no such need for such hot haste. The matter could have been very well left in the hands of the permanent Deputy Commissioner, who had

had partly heard their grievance and had more experience of the place.

That the scheme proposed by Mr. Syed Taj Peeran is very unfair. He recommends a pay of Rs. 3/- to a person who according to him will at best act as a reserve, whereas the nominee of the Sir Khajee who will have to attend the prayer five times a day gets nothing. The devotees attending the mosque regularly have had no cause to complain of the arrangement for the conducting of prayers even since the present Sir Khazi Syed Mohideen Hussaini Sahib has been in charge i.e. since 1896. We strongly protest against the expenditure of Rs. 3/- per month from the funds of the Mosque merely to provide for a contingency i.e. the absence of a professional leader at prayer at any time- which has not risen even at one time for the past 24 years. There are other more urgent needs of the Mosque which have a better claim on the resources of the Jumma Mosque.

That the proposal of Mr. Syed Taj Peeran entirely ignores the orders of the Government in the matter and modifies without any justification the actions of his predecessors and the permanent Deputy Commissioner. The right of appointing and dismissing a Peish Imam has always vested in the Sir Khazi and the Government in their Order No. 649-50/ Muz.735-18-2 dated 21st August 1919 have duly recognised this right and the Deputy Commissioner has approved of the nominee Peish Imam made by the Sir Khazi. This proposal is quite against the spirit of the aforesaid order.

That a careful study of the case will prove beyond a doubt that the introduction of this Peish Imam Syed Abdul Khalak Sahib in the Jumma Mosque has led to constant bickerings and quarrels amongst the Mussalmans of Chitaldrug. The even tenor they have been pursuing has not been disturbed ever since his claim as such was dismissed by the authorities. We earnestly pray to that Government will not be a party to introduce this

this discordant element again inthe Jumma Mosque and thereby fan a factious spirit and disturb the peace of the Mosque.

That we have no objection at all to this proposal of Mr. Syed Taj Peeran that the Peish Imam Abdul Khalak Sahib should lead the prayers, as hitherto, in the Barr Lines Mosque. Further we have no quarrel whatever with Government paying him a - remuneration of Rs. 3/- or more to act as Peish Imam inthe said Mosque. All that we beg to urge is that Peish Imam ~~Sahib~~ ship of the Barr Line Mosque which the said proposal in effect amounts to could not be a legitimate charge on the funds of the Jumma Mosque.

That there is no real grievance as regards the leadership in the Jumma Mosque as reported by Mr. C.S.Balasundaram Iyer, the then Deputy Commissioner after a detailed and careful investigation. The principal persons in this movement are those that hardly attend the Mosque on week days and this sole object in thi agitation is the satisfaction of their private grudge against the Sir Khazi Sahib and his family.

To sum up, the proposals made by Mr. Syed Taj Peeran are unwarranted as far as the needs of the Jumma Mosque are concerer' based as they are on scant knowledge of the local conditions, are improper as they go against the clear orders of Government. are full of possibilities for mischief as they reopen a - controversy about the relative merits of the Sir Khazi and Peish Imam which was settledlong ago in favour of the Sir Khazi, and are sure to revive the factious spirit which is fast dying out, are not equitable as they create a sinecure for the Peish Imam whereas they are silent about the emoluments of the person who has to lead at prayers five times a day and are inter ed to burden the finances of the Jumma Mosque with charges that are to be rightly met from the funds, if any, of the Barr Lines Mosque.

We earnestly pray that Government should pay due weight to the above representation while considering the above proposals made by Mr. Syed Taj Peeran with regard to ~~his~~ the appointment of Syed Abdul Khalak Sahib as second Peish Imam in the Jumma Mosque at Chitaldrug.

We beg to remain,

S i r,

Your most obedient servants,

POSTS & TELEGRAPHS 93

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Charges to pay | Office Stamp

Rs. | As.

517

Handed in at (Office of Origin).	Date.	Hour.	Minute.	Service Instructions.	Words.
Chitaldroog	22	13		35	29

TO

Rec'd. here at | H. | M.

merger Superintendent
Bangalore
Deputy Commissioner recommends
appointment removed person
Abdul Khalak for Chitaldroog
Town against murder of mahomed
=dans and previous record
~~Chitaldroog~~ Please disburse
appointment
Imam for the Mosque

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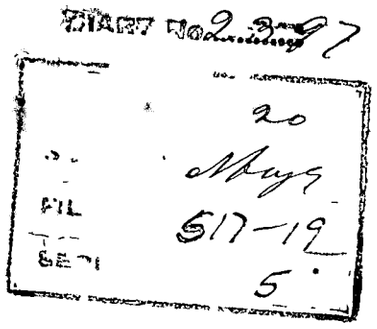
II

disturbance between following
may have
began from
Mahomedan religious

N.B.—The name of the Sender, if telegraphed, is written after the form

Lal Chand & Sons— 10-5-18—2,65,000 Bks. (Edn. III).



19

From The Deputy-
Chitaldrug

To The Secretary to
H. H. the Maharaja
Muzrai &

Dated Ba

Despatched 21 St

Received

General No. S. C. 393

No.

Enclosure No' Two.

Furnishing
detailed report re
appointment of a
Iman for the Mosq
at Chitaldrug

Office of the Deputy Commissioner,
Chitaldrug District.
Dated Chitaldrug, 21st May 1930.

From

A. K. Syed Taj Peeran Esquire, B.A.,
Deputy Commissioner,
Chitaldrug District.

To

T. E. Jayaram Iyer Esquire, B.A., B.L.,
Secretary to the Government of Mysore,
Muzrai Department, Bangalore.

Sir,

With reference to your letter No. 510/ Mz.517-1-3 Dated 21-5-30 forwarding two petitions from the usual residents of Chitaldrug purporting to have been the resolutions adopted in a large assemblage convened for the purpose, for report, I have the honor to state as follows:-

2. The subject matter of the petitions is one which has convulsed the usual calm of this place for over half a century and over which they have ranged themselves into two hostile camps, one supporting the cause of the Sir Khazi and the other upholding the leadership of the Peish Iman. This battle was fought both in the Revenue and the Civil Courts with the result that the Sir Khazi's rights were considered to be superior to those of the Peish Iman. The decision of the Judicial Assistant Commissioner passed in the year 1870 is the oldest official document giving on account of the present controversy.

3. At one time the Peish Iman became victorious over the ... associated with the Sir Khazi in the management of the ... for was compelled to pay a allowance of Rs.2/- out of ... which has been received ... (vide G.O. No. 508/ Mz.[illegible] dated ... August 1[illegible]). It may be ... such an ... that the Government ... consideration to ... of ...

attached to the late Sirdar
Syed Sibgutulla Hoosaini's character who not only mismana
the affairs of the Mosque but by his conduct rendered himself
obnoxious to the community whose leadership he claimed. (V
Mr. C. Srinivasa Iyengar's letter No. 685 dated 6-4-1894).
The Government however directed that the arrangement should
be regarded as tentative until one of his sons became -----,
qualified for the place.

4. In the year 1905, on the recommendation of the then Deputy Commissioner, the son of Syed Sibgutulla Hoosaini, -- the present Sir Khazi was appointed as Sir Khazi for the town of Chitaldrug and entrusted with the management of the Mosque In passing this order the Government entirely ignored the existence of the Peish Imam and overlooked his alleged rights. The agitation of the followers of the Peish Imam was not however abated and whenever there was an opportunity they did not fail to advance the claims of their leader. The Government however declined to reconsider their order after perusing the report of the Muzrai Superintendent who had been directed to study the local circumstances and hold an enquiry into the relative claims of the contending parties.

5. Mr. Balasundaram Iyer ~~then~~ did not see the necessity of appointing a Peish Imam as the Sir Khazi Syed Mohadeon ----- Hoosaini son of Sir Khazi Syed Sibgutulla Hoosaini was doing the duties of the Peish Imam satisfactorily, eversince he was appointed in the year 1905 by the Government. The agitation then took a different turn and a general proposition was moved before the Representative Assembly that Peish Imams should be appointed for some important Mosques including that Chitaldrug. The old Sir Khazi Syed Sibgutulla Hoosaini very wisely abdicated in favour of his eldest son Syed Mohadeen Hoosaini who was the Sir Khazi for the town only and the Government recognised his succession to the Sir Khaziship of the District in

place of

of his father and directed him to appoint some one for the performing the duties of the town subject to the approval of the Deputy Commissioner.

6. The retirement of the old Sir Khazi has no doubt created the necessity of appointing a separate person for performing the duties of the Peish Imam as the Sir Khazi often goes out in the District to supervise the work of his "Naibs" in the Taluks. It must be pointed out that the duties of a Peish Imam are somewhat of a ~~trying~~ taxing nature. He is expected to be present on five occasions in a day to lead in the prayers. He must be there early in the morning between 4 and 5 A.M. for the morning prayer. He must also attend the funerals and perform sundry other duties pertaining to ceremonies connected with births and deaths in the community.

7. Sir Khazi Syed Shadeen Hoosain contends that in obedience to Government order he nominated his younger brother to officiate as Peish Imam in his absence and that this arrangement was working satisfactorily.

8. The other party objected that one of Sir Khazi's brothers is a Government servant and he cannot possibly attend five times regularly and that the other is yet a young and slaughters sheep and as such he is not qualified to take the lead in the Namaz. Sir Khazi said that as no one was available to perform the functions in the slaughter house he has temporarily deputed his brother for the past one month and that he has already directed him to discontinue his visits to the slaughter house. The question now arising is whether Sir Khazi's nominee should be recognised or the Peish Imam should be reinstated. The rights of the Sir Khazi have been recognized by the Civil Court that he was competent to appoint or dismiss a Peish Imam. The Peish Imam has no rights of his own, but he appears to have acquired some rights similar to those of a Khadim dealt with in the Land Revenue Code. The Peish Imam was forced on the late Sir Khazi at a time when the late

was helpless and had no following on account of his bad reputation. The Government, however, did not see any necessity of continuing the Peish Imam and completely extinguish his rights if he had acquired any twenty years ago. In Muzrai appointments the principle heredity has been recognised provided the person is qualified for the place. The removal of the Peish Imam has no doubt given dissatisfaction to a section of the Musalman community as is evident from the agitation which has been kept up.

9. It is clear that he cannot assert his rights whenever the Sir Khazi is present. He is subordinate to and not a rival of the Sir Khazi. Whatever right he may possess he cannot be appointed as a party to claim any remuneration out of the emoluments given to the Sir Khazi. Sir Khazi's proposal that his brother should officiate in his absence has been recorded by my predecessor.

10. It is however a point for consideration that if the members of the same family are appointed in an institution any short comings or irregular attendance and consequent inconvenience caused to the congregation may not come to the notice of the authorities. With this view if the Government consider the desirability of introducing a third person in the service of the Mosque the Peish Imam may be retained and paid from the fund of the Masjid and designated as 'Duali' or second Peish Imam to officiate only in the absence of these, Sir Khazi or his nominee. He will have no voice in the management of the Masjid and he must regard himself as a subordinate to the Sir Khazi.

11. It is not unusual to appoint two Peish Imams in important Institutions with a view that when one is dis- for some reason the other person may take his place. I understand that some such arrangements exists in some of the temples in respect of Archaks. For the same reason two Peish Imams are appointed in the Bi- Mosque at Secunderabad. The

Mosque gets good income from the endowments and very little is spent on the establishment. The Sir Khazi is paid from the state Fund. The difference existing is not at all ~~~~~ sectarian as both factions profess to belong to Hanfi sect.

12. With a view to promote harmonious relations between the contending factions and ensure regular performance of service, I beg to recommend that an allowance of 15/- may be sanctioned to the Peish Imam. Sir Khazi's brother may be designated as Aval Peish Imam and the other as 'Duam' Peish Imam. The 2nd Peish Imam may be directed to lead in the Darline masjid whenever he finds no work in the Sultani mosque This recognition of the claims of the Peish Iman is believed to give satisfaction to his supporters and put an end once for all to this long standing feud bringing in instead peace and hormony among the Musalman residents of this place.

The petitions received with your letter under reply, together with their enclosures are here with transferred

I have the honor to be,

Sir

your most obedient Servant

A V Raghavan 21/5/20

Officiating Deputy Commissioner

Cuttalorg District.

WKR
- 6/

Per 24/31/5/20

ST

DIARY No. 2433/1920
SECTION Abgns
FILE 517-19
5

The Huzrai Secretary to Government,

B A N G A L O R E.

Sir,

With reference to subject No.204 moved at the October 1919 Session of the Representative Assembly by Mr. Mir Ahomood Sab of Tarikere Taluk and the reply given thereto by the Hon Member of Council, that individual cases will receive consideration, I am requested by the Chitaldrug Muslims to approach you with a prayer that a Pesh Imam be appointed to the Chitaldrug Jumma Mosjid.

The circumstances necessitating the appointment are that the Khazi of Chitaldrug has lately been appointed as Sir Khazi for the whole District. As such he will be touring over the whole District. He was attending to the duties of Pesh Imam. He cannot by his present appointment discharge the daily routine duties as Pesh Imam.

The Government may therefore be pleased to redeem their promise, conveyed in the 3rd Member's reply to the subject adverted viz, that mentioned above.

I beg to remain,

S i r,

Your most obedient servant

S e c r e t a r y,

Anjuman-Himayet-Islam,

C H I T A L D R U G.

C H I T A L D R U G.

14th ~~May~~ 30th May 1920.

DIARY No. 2.2266
20 24
Meer

FILE No.

To CERK

Received
Syed W
W 2/7/20

T. E. Jayaram Iyer, Esq., B.A., B.L.,

Muzrai Secretary to Government,

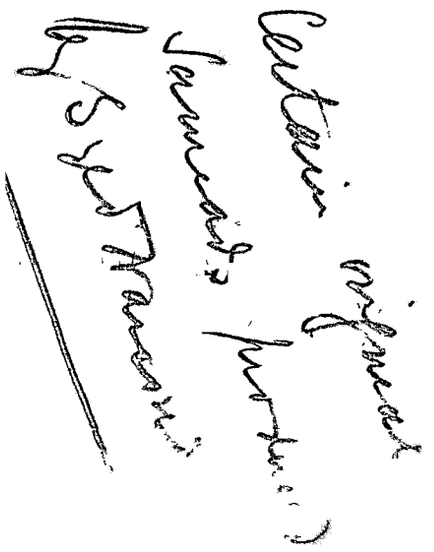
B a n g a l o r e.

Respected Sir,

e beg to bring the following facts regarding the Peish Imam of Chitaldrug to your kind consideration, with the more that our representations will receive sympathetic treatment at your hands and equitable orders.

The Peish Imam of Chitaldrug has ever since 1793 played a very important part in the development of the Masjid and the office has been acknowledged by the Mohammadan community as an absolute necessity in view of the functions the holder thereof has to discharge, but by no means on mere sentimental grounds. The appointment to this post has, the contravention of long-established usuage, the accountably and to the deep regret of the mohammadan community, been suspended until such time as the late Sir Khazi continued in office when the Government proposed to settle the matter of the Peish Imamship. This contingency has occurred. The late Khazi's son has lately been promoted as Sir Khazi but the latter has been authorised to appoint his own man to do the work of the town Khazi when the Sir Khazi is engaged elsewhere. The present Sir Khazi has consequently appointed his own brother, clerk in the District Excise Office as his deputy or Naib, to do the town Kazi's duties while he is engaged outside. In this connection we have to point out that the appointment of the Town Kazi should not be made by Government directly.

The duties of the Peish Imam are quite different to



Secretary to Govt.,
General Department.

those of the Sir Khazi or his deputy. The functions of the Sir Khazi are for the most part secular and judicial in their character, while those of the Peish Imam are religious.

The Khazi has jurisdiction over the civil disputes of the congregations while the Peish Imam leads the community at prayers and ministers to their religious needs. It is therefore evident that the appointment of a Khazi or his Naib does not dispense with the more important appointment of a Peish Imam in a masjid, particularly of the importance and sanctity of the one like the Chitaldrug masjid where the office of the Peish Imam has been recognised quite distinct from that of the Khazi for over a century by the forefathers of the musalmans of Chitaldrug and not disturbed by any order of Government until on the occasion of the enquiries into the misconduct of the late Sir Khazi when the Government which justly removing him from the Khaziship of the town. Unfortunately, for no complaint from any one and no proved or even alleged misconduct of the then Peish Imam or of his descendents or ancestors shelved the office of the Peish Imam and appointed a town Khazi leaving the question of the Peish Imamship in suspense, as already stated till after the late Sir Khazi laid down his office. There is ample proof of the existence of the Peish Imamship in Chitaldrug for over a century. An enquiry in 1892 by the then Deputy Commissioner Mr. C. Srinivasaiengar disclosed that Peish Imamship existed prior to 1860 as a document of that date executed by the musalmans of Chitaldrug in favour of the then Peish Imam expressly mentions that the forefathers of the musalmans of that period had acknowledged the right to Peish Imamship of the ancestors of the existing Peish Imam.

Next, as to the person fit to hold the responsible post of Peish Imam, it is respectfully submitted that no Muslim should be given offering the position unless

the whole Muslim community at prayers, and enjoying the respect and confidence of his congregation. The mohammadan public of the place, held two meetings as they had done in 1869 and on previous occasions to settle this important question, and recorded resolutions regarding the appointment of Syed Abdul Khaluc to this office both in view of his having, like his ancestors, held the post for several years, before the appointment was itself - ordered to be suspended in the years 1905, 1909 and of the -- excellent character he bears and the respect and confidence he commands. These resolutions have been communicated to Government.

We respectfully beg to represent that the time has now -- arrived for the appointment of a Peish Imam being provided for this important mosque. The appointment is absolutely necessary and we respectfully beg that the post, may be ordered to be revived, and conferred upon Syed Abdul Khaluc, on whose beh lf the muslim population of Chitaldrug have sent up resolutions and - several representations. Please vide copies of memorials submitted to His Highness the Maharaja Sahib Bahadur (1) 15th November 1909, & (2) 7th March 1913.

We earnestly beg that you will be so kind as to take all the foregoing facts and circu stances into your kind consider tion and pass early equitable orders in the matter.

We beg to remain,

Respected Sir,

Your most obedient servant,

2.7.1920.

J. Syed Naseruddeen.

On behalf of the Muslims of Chitaldrug.

To

Mir Humza Hussain, Esq., B.A., B.L.,

Third Member of Council, Bangalore.

Respected Sir,

We beg to bring the following facts regarding the masjid at Chitaldrug to your kind consideration, with the hope that our representations will receive symphathetic treatment at your hands and equitable orders.

The Peish Imam of Chitaldrug has ever since 1799 played a very important part in the development of the masjid and the office has been acknowledged by the monhammadan community as an absolute necessity in views of the functions the holder thereof has to discharge, but by no means on mere sentimental grounds. The appointment to this post has, the contravention of long established usuage, the accountably and to the deep regret of the mohammadan community, been suspended until such time as the late Sir Khazi continued in office when the Government promissed to settle the matter of the Peish Imamship. This contingency has occurred. The late Khazi's son has lately been appointed as Sir Khazi but the latter has been authorised to appoint his own man to do the work of the town Khazi when the Sir Khazi is engaged elsewhere. The present Sir Khazi has accordingly appointed his own brother, a clerk in the District Excise Office as his deputy or Naib, to do the town Khazi's duties while he is engaged outside. In this connection we have to point out that the appointment of the Town Khazi was on the last occasion made by Government directly.

The duties of the Peish Imam are quite different from those

those of the Sir Khazi or his deputy. The functions of the Sir Khazi are for the most part secular and judicial in their character, while those of the Peish Imam are religious.

The Khazi has jurisdiction over the Civil disputes of the congregations while the Peish Imam leads the community at prayers and ministers to their religious needs. It is therefore evident that the appointment of a Khazi or his Naib does not dispense with the more important appointment of a Peish Imam in a masjid, particularly of the importance and sanctity of the one like the Chitaldrug masjid where the office of the Peish Imam has been recognised quite distinct from that of the Khazi for over a century by the forefathers of the mussalmans of - Chitaldrug and not disturbed by any order of Government until on the occasion of the enquiries into the misconduct of the late Sir Khazi when the Government which justly removing him from the Khaziship of the town. Unfortunately, for no complaint from any one and no proved or even alleged misconduct of the then Peish Imam or of his descendants or ancestors shelved the office of the Peish Imam and appointed a town Khazi leaving the question of the Peish Imamship in suspense, as already stated till after the late Sir Khazi laid down his office. There is ample proof of the existence of the Peish Imamship in Chitaldurg for over a century. An enquiry in 1884 by the then Deputy Commissioner Mr. C. Srinivasaiengar disclosed that Peish Imamship existed prior to 1869 as a document of that date executed by the mussalmans of Chitaldrug in favour of the then Peish Imam expressly mentions that the forefathers of the mussalmans of - that period had acknowledged the right to Peish Imamship of the ancestors of the existing Peish Imam.

Next, as to the person fit to hold the responsible post of Peish Imam, it is respectfully submitted that the incumbent should be a man oflearning and erudition capable of leading

Presented in person 2.7.20
Recd.

2-7-20

To
Messrs Sales
with Compts.
in case of previous in same matter.
in case of papers may be required
Recd 2.7.20

DIARY NO 2.2...
320 / 21
Recd
517-19
7 6

To
P. Raghavendra Rao, Esq., B.A., B.L.,
Second Member of Council, Bangalore.

Respected Sir,

We beg to bring the following facts reg rding the masjid Chitaldrug to your kind consideration, with the hope that our representations will receive symphathetic treatment at your - hands and equitable orders.

The Peish Imam of Chitaldrug has ever since 1799 played a very important part in the development of the masjid and the - office has been acknowledged by the monhammadan community as an absolute necessity in views of the functions the holder thereof has to discharge, but by no means on mere sentimental grounds. The appointment to this post has, the contravention of long - established usuage, the accountably and to the deep regret of the mohammadan community, been suspended until such time as the late Sir Khazi continued in office when the Government promised to settle the matter of the Peish Imamship. This contingency has occurred. The late Khazi's son has lately been appointed as Sir Khazi but the latter has been authorised to appoint his own man to do the work of the town Khazi when the Sir Khazi is engaged elsewhere. The present Sir Khazi has accordingly -- appointed his own brother, a clerk in the District Excise Office as his deputy or Naib, to do the town Khazi's duties while ~~him~~ he is engaged outside. In this connection we have to point out that the appointment of the Town Khazi was on the last occasion made by Government directly.

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those of the Sir Khazi or his deputy. The functions of the Sir Khazi are for the most part secular and judicial in their character, while those of the Peish Imam are religious.

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Next, as to the person fit to hold the responsible post of Peish Imam, it is respectfully submitted that the incumbent should be a man oflearning and erudition capable of leading

the whole muslim community at prayers, and enjoying the respect and confidence of his congregation. The mohammadan public of the place, held two meetings as they had done in 1869 and on previous occasions to settle this important question, and recorded resolutions regarding the appointment of Syed Abdul Khaluq to this office both in view of his having, like his ancestors, held the post for several years, before the appointment was itself ordered to be suspended in the years 1905, 1909 and of the excellent character he bears and the respect and confidence he commands. These resolutions have been communicated to Government.

We respectfully beg to represent that the time has now arrived for the appointment of a Peish Imam being provided for this important mosque. The appointment is absolutely necessary and we respectfully beg that the post, may be ordered to be revived, and conferred upon Syed Abdul Khaluq, on whose behalf the muslim population of Chitaldrug have sent up resolutions and several representations. Please vide copies of memorials submitted to His Highness the Maharaja Sahib Bahadur on 15th November 1909, & (2) 7th March 1913.

We earnestly beg that you will be so kind as to take all the foregoing facts and circumstances into your kind consideration and pass early equitable orders in the matter.

We beg to remain,

Respected Sir,

Your most obedient servant,

2.7.1920.

I. Syed Naseruddeen,

On behalf of the Muslims of Chitaldrug.

G S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to ....

Section 2nd
File No. 517-19
Serial No. 8

GENERAL AND REVENUE SECRETARIAT,
( )
, *the* *191* .

No. 70

Date of issue ... .

Signed by . . ..

To

The Asstt Supt.
Ist Regt

Sir

I am directed to request that you will be so good as to forward for the Regtl Copy of the Asstt Regtl returns for the quarter ending 30th June 1920 a receipt for the service at the following under Td No 41-87 dated 7th April 1887

Pay Office
8/7/20 for Major

List of enclosure

Copied by

Examined by

WD 86– GPB—60,000—15 11 16

No. 9 Survey Superintendent's Office,
Enc: one
Dated, Bangalore /7 July 1920.

From

D. K. Darashah, Esq., B.A.,

Superintendent of Revenue Survey and Settlements in Mysore.

To

T. E. Jayarama Iyer, Esq., B.A., B.L.,

Secretary to the Government of H. H. the Maharaja of Mysore,

Muzrai Department.

Sir,

DIARY No. 91

With reference to your letter No.70/Muz. 517-1928, dated 8th Instant, I have the honor to forward herewith a copy of the Inam Register pertaining to the grant of Rs.174-8-0, a year for khaji service at Chitaldurg under Title Deed No.41, dated 7th April 1869.

I have the nonor to be,

Sir,

Your most obedient servant,

Superintendent.

Register Sheet No. 115

Taluk. Gadag

Hobli. —

Village. —

Copy of the Register of Ready

General No.	Value of the Inam	Description of Inams. If for service, it is to be stated whether it is performed. If for buildings, tanks, etc., whether they are efficiently kept up	Tenure. Hereditary, unconditional, only, or for two or more li
1	2	3	4
Title Deed No. 41 26	R. A. P 174-8-0 Annual allowance paid monthly at Rs. 14-8-8 From the Chitaldrug Taluk Treasury.	Devadayam Granted for the performance of Khaji Service in the Lake of Chitaldrug Division. The Service is said to be rendered.	Permanent So long as the Service is rendere

In the Village of

in the

When, and by whom, and to whom granted	Name of the party registered in the Standard Mazra or other recognized accounts
5	6
Granted by the late Maharajah on 10th April 1814 for Chilāldurg (Hillgirlu) Khaje Service. Mahammed Hossen.	Insdik Patti of 1839/40 Khaji Mahammed Hussen Rs 174-8-a
an order of the late Maharajah to the grantee dated 11th of the same month and year is also produced appointing him as Khaji &c &c	Inamgrai Salzadah account of 1865/66 Khaji Syed Subak Ullah Hussen. Rs 174-8-a

Taluk of [illegible]

DESCRIPTIVE ROLL OF THE PRESENT RECIPIENT

Name, place of residence, and age	Caste or tribe, height and complexion	Indelible marks tending to t identification of the Inamd
7	8	9
Chitaldrug Sir Khaji Syed Sulaak Tullah Hussen Sahib		

of Chittaldrug. of the Division

Relationship to the grantee or the registered holder	Particulars of the heirs of the party in Col. 7	PARTICULARS OF THE COMMUTED LAND			
		Village and Taluk	Description and No.	Extent	Assessment
10	11	12	13	14	15

Passed in person
Camp Chitaldrug 10.8.20

To

P. Rajhavendra Rao Esquire B.A.,L.L.,

Second Member of Council,

Mysore Government, Bangaloro.

Camp Chitaldrug.

Respected sir,

We beg to bring the following facts regarding the Masjid at Chitaldrug to your kind consideration, with the hope that our representations will receive sympathetic treatment at your hands and equitable orders.

The Peish Imam of Chitaldrug has ever since 1799 played a very important part in the development of the Masjid, and the office has been acknowledged by the Mahomedan community as an absolute necessity in view of the functions the holder thereof has to discharge, but by no means on mere sentimental grounds. The appointment to this post has, the contravention of long established usage, been unaccountably and to the deep regret of the Mahomedan community, been suspended, until such time, as the late Sir Khazi continued in office when the Government promised to settle the matter of the Peish Imamship. This contingency has occurred. The late Khazi's son has lately been appointed as Sir Khazi, but the latter has been authorised to appoint his own man to do the work of the town Khazi, when the Sir Khazi is engaged elsewhere. The present Sir Khazi has accordingly appointed his own brother, a clerk in the District Excise Office as his deputy or Naib, to do the town Khazi's duties, while he is engaged outside. In this connection we have to point out, that the appointment of the town Khazi was on the last occasion made by Government directly.

The duties of the Peish Imam are quite different from those of the Sir Khazi or his deputy. The functions of the Sir Khazi

for the most part secular and judicial in their character, while those of the Peish Imam are religious.

The Khazi has jurisdiction over the Civil disputes of the congregations; while the Peish Imam leads the community at prayers, and ministers to their religious needs. It is therefore evident, that the appointment of a Khazi or his Naib does not dispense with the more important appointment of a Peish Imam, in a Masjid, particularly of the importance and sanctity of the one like the Chitaldrug Masjid, where the office of the Peish Imam has been recognised quite distinct from that of the Khazi, for over a century by the forefathers of the Mussalmans of Chitaldrug, and not disturbed by any order of Government, until on the occasion of the enquiries into the misconduct of the late Sir Khazi, when the Government while justly removing him from the Khaziship of the town, unfortunately, for no complaint from any one and for no proved or even alleged misconduct of the then Peish Imam or of his descendants or ancestors shelved, the office of the Peish Imam, and newly appointed a town Khazi, leaving the question of the Peish Imamship in suspense, as already stated, till after the late Sir Khazi laid down his office. There is ample proof of the existence of the office of Peish Imamship in Chitaldrug for over a century. An enquiry in 1894 by the then Deputy Commissioner Mr. C. Srinivasiengar disclosed that Peish Imamship existed prior to 1869, as a document of that date executed by the Muss lmans of Chitaldrug in favor of the then Peish Imam expressly mentions, that the forefathers of the Mussalmans of that period had acknowledged the right to Peish Imamship of the ancestors of the existing Peish Imam.

Next, as to the person fit to hold the responsible post of Peish Imam, it is respectfully submitted that the incumbent should be a man of learning and erudition capable of leading the whole Muslim community at prayers, and enjoying the respect and confidence of his congregation. The Mahomedan public of the place held two meetings, as they done in 1869, and on previous occasions to settle this important question and recorded resolutions regarding the appointment of Syed Abdul Khaluq to this office both in view of his

having, like his ancestors, held the post for several years, before the appointment was itself ordered to be suspended in the years 1905, 1909, and of the excellent character he bears and the respect and confidence he commands. These resolutions have been communicated to Government.

We respectfully beg to represent, that the time has now arrived for the appointment of a Peish Imam being provided for this important mosque. The appointment is absolutely necessary, and we respectfully beg that the post, may be ordered to be revived and conferred upon Syed Abdul Khaluq, who, as above stated is well qualified to hold the appointment and on whose behalf, the Muslim population of Chitaldrug have sent up resolutions and several representations. Please vide copies of memorials submitted to His Highness the Maharaja Sahib Bahadur on 15th November 1909, and on 7th March 1913

We earnestly beg, that you will be so kind as to take all the foregoing facts and circumstances into your kind consideration and pass early equitable orders in the matter.

For this act of kindness we shall ever be grateful.

We beg to remain,

Respected sir,

Your most obedient servant,

9th August 1920.

J. Syed Naserudeen

On behalf of the Muslims of Chitaldrug.

Abdul Hai

عبدالوہاب

محمد یٰسین

قاسم خان

عبدالعزیز

عبدالرزاق

محمد غوث

حیات خان

حسین خان

محمد فاضل

محمد حسین

Abdul Jabbar.

محمد ابراہیم

G. R. S. VI—G/32]

SUBJECT.....

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.....

Diary No. of letter replied to......91.....

GENERAL AND REVENUE SECRETARIAT,
(May)
, *the* 3 *191* .

Date of issue.....2/6/20.....

Signed by.....Dy. I. C. I. Angul.....

Section Imam
File No. 517-19
Serial No. 10

No. 7141

To

The Dy. Comr., Chitaldrug Dt.

Sir,

With reference to the correspondence ending with your letter No. S.C. 393 (Rev) of 19-20 dy 21-5-20 recommending the appointment of additional Peish Imam in the Jumma maojid at Chitaldrug, I am directed to state that it is understood that the two factions among the Mahomedans of the place [illegible] a proposal for [illegible]

An

over.

settlement of their disputes and to enquire whether they have come to terms or whether they still wish that Govt should decide the question at issue.

2 An early reply is requested.

I have etc

Secretary

Mug: Deputn

19/8/20

Rec'd 20.8.20

List of enclosure

Copied by

Examined by

WD 86—GPB—60,000—15 11 16

No. 584

1920 · 21

[illegible] · Pol 2

File · 517-19

Serial · 11

8574

19

From The Deputy Commissioner
Calcutta Division

To The Secretary to the Govt
of Bengal in the
Political Department

Dated 6th Sept 1920

Despatched

Received

General No. Ref on SC. 393 Prog 19-20
No.

Enclosure No. One.

Reporting on the petition of
some of the Mohra masons of Calcutta
~~regarding~~ in the revival of the
Office of Rank Imam.

ST

when the latter was helpless and the Government however did not see any necessity of continuing the Pesh Imam and completely extinguished his rights if he had acquired any, twenty years ago.

There is no probability of the two factions coming to an amicable settlement when the Sir Ghazi's absolute authority in the matter of appointing a Pesh Imam has been finally recognised by Government and that he has already nominated one of his brothers as Pesh Imam. The existing arrangement has been for over 12 years. There is no sectarian disoute as both parties are of the same sect and the dispute is purely personal for the office of Pesh Imam by the aspirant thereto. In my humble opinion there are no fresh grounds to reopen the question now and both parties may be kindly informed accordingly.

I have the honor to be,

SIR,

Your most obedient servant,

Deputy Commissioner,

Chitaldrug District

S.V.

Office note on the dispute regarding the Maszid at Chitaldrug.

1. The Mahomedan residents of Chitaldrug petitioned Government (Petition No. 58 dated 16th July 1895) complaining of the misdemeanours of the Sir Khazi of the Chitaldrug town. This was forwarded to the Deputy Commissioner for report.

2. The then Deputy Commissioner Mr. C. Srinivasiengar enquired into the matter and submitted a report as follows (No.635/71 dated 6th April 1894) "Syed Sibaralitulla Hussain, the Sir Khazi has entirely neglected the affairs of his Maszid and has otherwise misbehaved himself so far as to lose all confidence of his co-religionists. The Khazi is even reported to have on one occasion suffered imprisonment in the Civil Jail after having a futile attempt to avail himself of the insolvency provision. The direct management of the Maszid may be taken away from the hands of the Sir Khazi and transferred to a body to be appointed by Government who should manage the affairs of the institution under the guidance of a strong committee of which the Khazi also might be a member.

3. Government agreeing with the Deputy Commissioner in regard to the Khazi ordered in their proceedings No.1257/100-95 dated 10th May 1894 that another competent person should be appointed in his place, the appointment so made continuing till a person of the present Khazi's qualified by age, character and education is available to fill the post.

4. Mr. C. Srinivasiengar recorded as his opinion that the Sir Khazi should be deprived of all control over the Maszid at Chitaldrug and to be left undisturbed in his office elsewhere. If this proposal is not acceptable to all, some other competent person has to be selected to fill the Sir Khazi's post till such time as the Khazi's son will be found fit to hold it and hand to the person in charge of the Maszid."

5. With due deference to the opinion expressed by Mr. [illegible] Rao the then Deputy Commissioner (in his letter No.100/ [illegible] dated August 1895 to the Secretary to Government, Judicial Department) that the two parties of Mahomedans were hopelessly [illegible] that for the same reason it was impossible to [illegible]

...ent ... of members of both parties. Orders were also solicited as to ... Qazi was to be removed from office, one of his minor sons ... to succeed for the hereditary office and an efficient officiator ... appointed to work for the duties during the son's minority.

... Peshawar ... called for definite and detailed proposals ... arrangements, which in the Deputy Commissioner's opinion ... best for the town's reforms the affairs of the Qazid to ... (vide No. 715/100-C dated 20th August 1905).

... In reply, it was stated (vide 94 /14 dated 21-9-1905) that as ... as to complaints against the Qazi from outside the town of ... it was of necessity to disturb the exercising of his ... and that the ... Chief Commissioner ought to ... the ... of Qazi Muhammad Hussain Badshah, ... son of the late Qazi was recommended to be appointed ... for the ... Chitral (... his father was ...) ... on probation for 2 years. The ... was to be entrusted with the supervision of the ... for consideration on the ... sections of the community were a little abated.

... letter No. 500/ US.100-C dated 3rd November ... called for ... as to the ... qualification of the nominee ... 's 2nd son).

... Deputy Commissioner stated in his No. 313/39 dated ... that the nominee was duly qualified.

... Chief Commissioner ... of the Peshawar ... (vide No: 1133/100-C dated 17th March 1906) to do ... Qazi in Chitral in place of his father Syed Sabaqatullah Hussain on probation for 2 years, ordered that the question of his ... was to be considered on receipt of a report as to his discharge of his duties satisfactorily.

11. The Deputy Commissioner in his No.235/10 dated 20th October ... reported that the ... sanctioned above did not work ... satisfactorily, that there were disputes between the Khazi and a large

class of Mahomedans in the town and that the Khazi should be given another trial till June 1901. Referring to letter No.335/57 dated 6th April 1894 he further suggested that the appointment of a Posh Imam or Naib should be officially recognized, his pay being fixed at Rs 5 per mensem which should be deducted from the allowance granted to the Khazi; that the Posh Imam should always be present at the Muszid and preside at the prayers in the absence of the Sir Khazi; that the old Posh Imam now doing duty may be allowed to continue under the new arrangement and that this appointment should rest with Government, though the Sir Khazi may have given the privilege of nominating suitable persons. The formation of a committee was also recommended for the management of the funds accruing to the Muszid with the observation that the Sir Khazi should be absolved from the monetary affairs of the institution.

12. On this recommendation the Government were pleased to observe (vide No.530/Muz.100-95 dated 6-12-1899) that the person now doing the duties of Posh Imam did not appear to be on good terms with the Sir Khazi and ordered that a new person quite unconnected with the Muszid should be appointed for the office of Posh Imam. As regards the proposal to appoint a committee for the supervision of the Muszid it was ordered that instead of appointing certain persons under the designation of a "Committee" Mazarin-e-owroffs may be appointed for the purpose under para 12 of the rules issued under Government proceedings No.460-8 dated 10-10-1898, the names of 4 or 5 respectable Mahomedan residents of Chitaldrug being reported for appointment as such.

13. In reply (No.425/13 dated 15-12-1899) it was stated that as the Posh Imam was a respectable man and did not mix himself in the factions of the place and had worked for a long time, he might be continued in the office, no other better person being available for the place. The following persons were recommended as Mazarin-e-Owroffs:- 1. Mr. Issak Sahib. 2. Mr. Dasta ir Sahib. 3. [illegible] of Sajjanakere. 4. Mr. Abdul Rahiman Sahib, Deputy Clerk, Deputy Commissioner's office. 5. Mr. Abdul Khader Sahib, [illegible].

14. Referring to a petition received in the Secretariat [illegible] (Muzrai Department) from certain residents of Chitaldrug [illegible]

that the Pesh Imam now doing duty in the Muszid was very old and for further service and alleging that Isack Sahib and Dastagir Sahib recommended to be appointed as Nazarin-e-Owkoffs had created a faction amongst the Mahomedan community of the place, the Secretary referred the petition to the Deputy Commissioner for careful enquiry in the presence of the petitioners (vide No.747 uz.F.100-95 dated 11-1-1900).

15. The Deputy Commissioner after careful enquiry stated in his No.7 /61 dated 15-2-1900 that the Khazi and Pesh Imam had agreed in writing to work harmoniously in future in regard to the affairs of the Muszid at Chilakaru and that as the Pesh Imam was OT@ too old his son had been nominated to succeed him. It was proposed that this arrangement might be continued till June 1901 and then such final orders passed as the circumstances of the case required.

16. Government in their order No.[illegible]3/10 -95 dated 19-8-1900 sanctioned the above proposals tentatively for one year i,e, till June 1901 and ordered that a sum of ₹ 8-4-0 as detailed in the margin should be deducted from the Sri Khazi's allowances every month and paid to the Pesh Imam by the Tahsildar direct.

For his (Pesh Imam's) services.	...	8-0-0.
For lighting charges.	...	0-4-0.
	Total:-	8-4-0.

17. The above arrangement was recommended to be continued for another year more (vide this office No.39 dated 5-2-1902) and the Government were pleased to sanction the continuance thereof till the end of June 1903 (vide G.O. No.635/ uz.F.100-95 dated 30-6-1902) but this arrangement also did not work satisfactorily.

18. It was reported to Government in this office letter No. 260 dated 12-11-1904 that theold Pesh Imam having since died, his son appointed in his place was doing the duties independently of the Khazi that the Kazi being quite competent to look after the affairs of the Muszid, he might be allowed to do the same independently of the Pesh Imam and that the appointment of Pesh Imam was unnecessary.

19. The above proposal was approved by Government in their Pro: No.[illegible]/ uz.F.100-95 dated 16-2-1905 tentatively, subject to report after

one year's experience as to how the affairs of the Muszid were managed in accordance therewith. Orders were issued accordingly to dispense with the services of Posh Imam and to allow the Khazi to look after the affairs of the Muszid.

20. A copy of the proceedings in Kanarese of a meeting of Mohomedans of Chitaldrug held on 6th May 1905 complaining against the Government order dispensing with the services of Posh Imam (which was received in the Secretariat) was forwarded to this office for report (Vide No.4373/Muz.100-93 dated 15th June 1905). Another similar proceedings protesting against the restoration of Posh Imam received in the Secretariat was also sent to Deputy Commissioner for report(vide 742/Muz.100-93 dated 7th August 1905).

21. Thereupon an order (No.119 dated 11th August 1905) was issued to the Amildar calling for a detailed report in the matter.

22. On its receipt from the Amildar a report No.54-5 dated 27th June 1903 was submitted to the Secretary, Muzrai Department recommending that the Government order No.7496/Muz.F.100-93 dated 15th March 1905 may be so far modified as to allow things to go on as they were prior to the order of Government of the 19th August 1900 which put the Posh Imam also in charge of the Muszid.

23. With a view to settle once for all this long standing dispute, Government directed the Muzrai Superintendent to visit Chitaldrug and report after carefully & inquiring into and understanding local conditions and requirements. He accordingly visited Chitaldrug in the 1st week of January 1909 and after carefully studying the records and conferring with the parties submitted a memo to Government explaining the facts of the case. Thereupon the Government have observed that it is impossible to associate both the Khazi and the Posh Imam in the management of Muszid at Chitaldrug and that the Musalmans of the place have gradually come to acquiesce in the Government order of 1905 referred to above and that the Khazi's party which formerly was in is now in the majority thus clearly showing that the arrangement ordered in 1905 is working satisfactorily and will in the end tend to bring about unity and good feeling among the Musalmans at Chitaldrug

The character of this agitation may be gauged from the circumstance that the latest petition on the subject received in your docket of the 23rd December 1915 which purports to be signed by several people is to a large extent spurious. This opinion was arrived at through Mr. Abdul Hadi Khan B.A., Taluk Police Inspector as to the genuineness of the petition and he got signatures thereto and from the reports I find that several of the signatures are quite unintelligible and I find that one and the same person has signed in different places and the signatures of several persons are in the writing of one man, that of the signatures are those of school boys, that several of the signatures appear to cover both portions, that the numbers are filled by the signatures of several individuals living in the same household and that one of the signatures is to the effect that should Mr. Elphinstone go the petition will be withdrawn." It will thus be seen that the agitation is largely of a mischievous character engineered by a few persons actuated by interest and partisanship who hold personal grudges against the Tahsildar and who object to his presence in office or by hostility to the Tahsildar.

28. Government order in their order No. 755/Uz. 27-10-11 dated 9th March 1910 ordered that the appointment of Abdul Hamid Khan Sahib as Tahsildar of Uzhavur should be made permanent. The question will be considered when the Tahsildar passes away

29. By Board's Standing Orders in Government Proceedings No. 3500-Uz.7.5-15-2 dated 21st August 1915 the powers and duties of Abdul Hamid Khan Sahib as Tahsildar and Deputy Collector of Uzhavur for duty during his absence from Head Quarters, I am directed in accordance with the decree of the Judicial Assistant Uzhavur in Suit No. 1 of 1910 which runs as follows:- "It is ordered and decreed that the plaintiff, for the protection of his rights and orders from Government and Board of Revenue in the matter of the duties of Tahsildar of Uzhavur and Chairman of Union Panchayat is such to hold charge of the said Taluk Office for the purposes and to the extent of the said duties and to the exclusion of the defendant from this office which his conduct called for such a decree

G. R. S. VI—G/32]

SUBJECT..... States that the hearing of the Peak Dacoity case before Govt has been fixed for 22.1.21 and requests that witnesses may be warned to be

Diary No. of letter replied to 384

Section Finance
File No. 517-19
Serial No. 12.

General and Revenue Secretariat

( )

, *the* *191* .

No.

Date of issue 29.11.20

Signed by

To

Sir,

With reference to correspondence ending with your letter No. S.R. 373 dated 19-20 3, 6-7-20 [illegible] respectfully to forward herewith a copy of the memorandum of Civil Surgeon, [illegible] for the removal of the office of Peon Khan. I am directed to state [illegible] would like to [illegible] to be present [illegible]

over.

The
case on its merits. 22nd January 1921
has accordingly been fixed for the hearing
hearing of the case and I am to
request that notices may kindly
be issued to the ~~[illegible]~~ persons concerned
with parties to appear before Govt.
~~The Secretary to Govt. of the Punjab~~
~~Legal Remembrancer~~, said date, with ~~[illegible]~~
~~[illegible]~~ if any, in support of
their contentions.

I am &c

Dy. Secy.

Punj: Govt.

18/11/21

2:1
18/11/20

List of enclosures.

Copied by

Examined by

G. R. S. 26]

File No.

Serial No. /3.

Diary No. of letter replied to .....

No.

General and Revenue Secretariat

( )

, the 191 .

To

Date of issue .....

Signed by .....

over.

SUBJECT.

List of enclosures

Copied by

Examined by

GPB—20,000—10.10.14

OFFICE OF THE DEWAN OF MYSORE.
Date of Receipt 27-7-21
169

Diary No. 2643

21 22

To

The Dewan of Mysore,

BANGALORE.

Order:
This may be before the First Member for

Most honored and respected sir,

We the Mahomedan citizens of Chitaldrug beg permission to recall ourselves to your honor's memory and state with brief, as follows:-

Mud: Secy) 28. 26/7/21.
W/28/7/21

On the 22nd of January last, there was the hearing of the Peish Imam at Bangalore but before the due date, we received intimation from the Muzrai Department that the hearing was postponed. Though it is already 6 months since the postponement of hearing, yet it has not been received.

The Imam is as indispensable a factor for the Mahomedan places of worship, as a ruler to a State. Without him all the ecclesiastical affairs will be null and void. It is a religious necessity. It is not left to the will and pleasure of the public. Our "Holy Quran" and the "Holy Prophet's sayings" do require the Imam for the mosque. The Khaji is just like a petty Munsiff, to decide minor religious feuds.

Besides, the Sir Khaji Sahib will always be touring. So there is no body in the Jumma Masjid to perform the Peish Imam's share of duty. Sometimes the Movazan does it, and some times some other persons. This is quite contrary to the Mahomedan Law. So to say, affairs have become very loose, troublesome and spoil the Namaz."

We are very sorry that the benign Government have not yet bestowed their kind attention over this important religious topic. Pray therefore, that the "Imam" may kindly be given as before, to the Mosque and thus save us from

religious strifes and quarrels.

For which act of charity we shall be ever grateful.

Chitaldrug.

15th July 1921.

We beg to remain,

Most honored and respected sir,

Your most obedient citizens

To,

The Dewan of Mysore,

BANGALORE.

By Post.
2774

29-7-22
200

Through:-

The Secretary,

Central Mohammadan Association,

BANGALORE.

Dewan's order

Most Honored and Respected Sir,

We the Mohammadan citizens of Chitaldrug, beg permission to recall ourselves to your honor's memory and state with grief, as follows:-

On the 22nd of January last, there was the hearing of the Peish Imam at Bangalore, but before the due date, we received intimation from the Muzarai Department that the hearing was postponed. Though it is already 6 months since the postponement of hearing, yet it has not been revived.

The Imam is as indispensable a factor for the Mohammadan places of worship, as a ruler to a state. Without him all the ecclesiastical affairs will be null and void. It is a religious necessity. It is not left to the will and pleasure of the public. Our " Holy Kuran " and the " Holy Profet's Sayings " do require the Imam for the Mosque. The Khaji is just like a petty Munsiff, to decide minor religious feuds.

Besides, the Sir Khaji Saheb, will always be touring. So there is no body in the Jumma Musjid to perform the Peish Imam's share of duty. Sometimes, the Movazan does it, and sometimes some other persons. This is quite contrary to the Mohamadan Law. So to say, the affairs have become very loose, troublesome, and spoil the Name.

We are extremely sorry, that the benign Government have not yet bestowed their kind attention on this important religious topic. Pray, therefore, that the

Peish Imam

Peish Imam may kindly be given as before, to the Mosque, and thus save us from religious strifes and quarrels.

For which act of charity we shall be ever greatful.

We beg to remain,

Most Honored and Respected Sir,

Your most obedient Mohamadan Citizens

Chitaldrug,

16th July 1921.

J. Syed Naseeruddin

Abdul Hq

Bangalore City,

G. R. S. VI—G/32]

SUBJECT .. ..

... ...

....

Diary No. of letter replied to —

Section Inspn

File No. 517-19

Serial No 76

General and Revenue Secretariat

(May)

, *the* *191* .

No.

Date of issue 23. 8. 21

Signed by [illegible]

To

The Dy: Comr, Chitaldrug
Distt.

Sir,

I am directed to invite reference to this office letter no. 2396/May 517-19-13 & 4-1-21 stating that the adjourned date of hearing of the case re revival of the office of Peshi Imam at Chitaldrug would be intimated to you later on and to state that the case has been posted for hearing

over.

before Govt on 21st Septr 1921.

I am, therefore, to request you that notices may kindly be issued to the leading persons among both parties to appear before Govt ~~on the said date~~ at 12 noon on that day

I have etc

Secretary
Irrig: Deptt

89
25/8/21

25/8/21

List of enclosures.

Copied by

Examined by

R. S. VI—G/32]

SUBJECT Immediate .....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

(Mug)

, *the* 191 .

Date of issue 19.9.21

Signed by W. B Srinivasaraja

Section

File No.

Serial No

No. 1505 Fam. Corr.

To

The Dy: Comr, Chitaldrug
Dt.

Sir,

~~In continuation~~ In continuation

of this office letter no. 1157/Mug 577-19-14 & 29-8-21, I am directed to inform you that the case re the revival of the office of Peish Imam at Chitaldrug cannot be heard on the 21st instant, as previously arranged & that the date of adjournment will be intima

over.

I have etc

Approved by the Member
SD 17.9.24 (Via the secretariat only)

Secretary
Mysore Deptt.
BG 17.9.24

A/post copy
telegram issued
on the 17th inst
& therein enclosed
BG 19.9.24

List of enclosures.

Copied by

Examined by

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to Very Urgent.

General and Revenue Secretariat

(Mug)

, the 191 .

Section Rangoon

File No. 517-19

Serial No 16

No. 1998

Date of issue 26.10.21

Signed by Mr. T.E.J. Jan

To

The Dy: Comr., Chitaldrug District.

Sir,

In continuation of this office letter no. ~~1557~~ 1505/Mug 517-19-15 & 19-9-21, I am directed to inform you that the case re revival of the office of Peon Inam at Chitaldrug has been re-posted for hearing before Govt on Wednesday, the 9th November 1921.

I am, therefore, to request

over.

by hand notices
issued to the leading persons of
both parties to appear
at the Public offices, Banbridge
before Govt. at 12 noon on that
day.-

I have etc

W. J. Abbott
Secretary
Munr: Deptt

6/10/21

RA
26-10-21

List of enclosures.

Copied by

Examined by

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to 1696

General and Revenue Secretariat

(Mug)

, *the* *191* .

Date of issue 18th Nov. 21

Signed by Mr. T E G. Iyer.

Section Judicial

File No. 517-19

Serial No. 18

No. 2527

To

The Dy: Comr, Chitaldrug Distt.

Sir,

In continuation of this office letter No. 1998/Mug 517-19-16 & 26-10-21 I am directed to inform you that the case re the revival of the office of Peshi Imam at Chitaldrug which had been posted for hearing before Govt on Wednesday the 9th November 1921, has been adjourned to Wednesday the 7th December 1921.

I am, therefore, to request

over.

yr to the leading persons of both parties to appear before Govt. at 12 noon at the Public Offices, Bangalore on that day.

I have etc

18/11/21
Secretary
Mig. Deptt.

89
18/11/21

18/11/21

List of enclosures.

Copied by

Examined by

13978 Jo

1696

21 22

REV. SEC'T
3 - NOV 1921

The Private Secretary to H.E.H.
Bangalore.

Sir,

I the undersigned most humbly beg to place before you this, my humble representation and hope it will be favoured with

Yakoob Member Abdul 28/11/21

notice has been served upon me directing me herein to appear before you without fail on 9.11.1921 to give our Statement in the matter of considering the appeal of some merchants citizens of this town praying for the reappointment of the deposed Postman Syed Abdul Khader to as the Postman of the Jumma mosque. I accept the notice with due respect and have a single word to say against it. But I wish to bring to your kind understanding how our going to Bangalore in obedience to your order causes a hindrance and a great inconvenience in observing the ceremonies of the month.

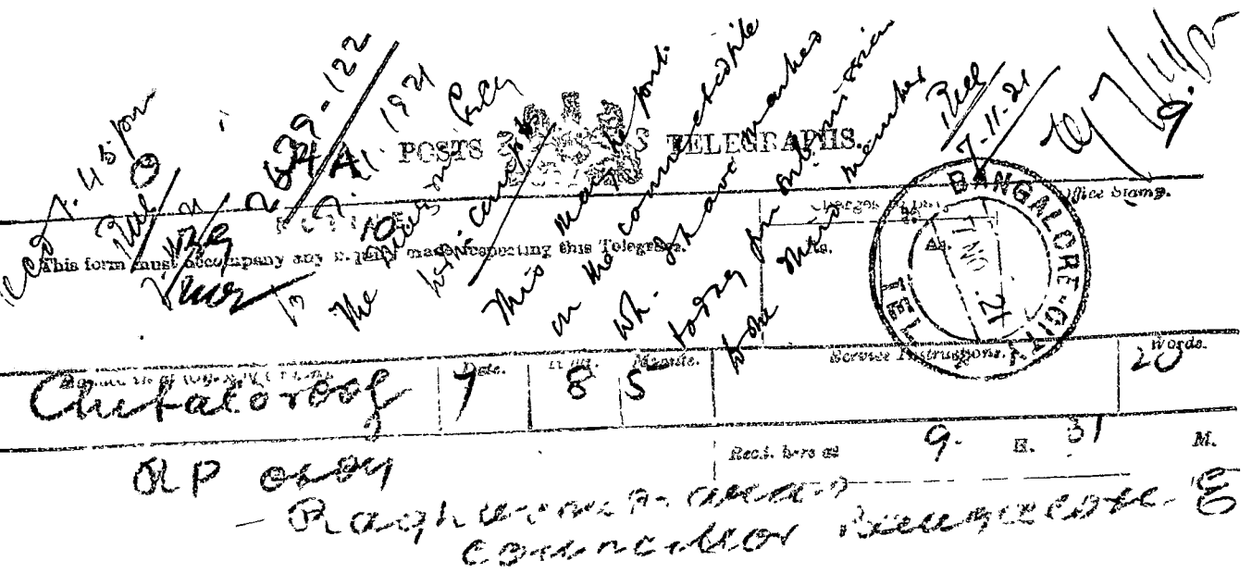
This month is a very holy month in as much as it is the month in which our Lord the Prophet made his appearance as a human being in this world and left it. The month has just commenced to day and will pass in the usual manner of merchants which take place in different places from 9 Pm. till about the midnight every day and when the attendance of the undersigned in the Cutcherry of Sri Khaja and other principal persons from outside for to attend to the hearing is absolutely compulsory and without which it would be [illegible] factory. more over on the last 10 days of this month the Birthday of Mohammed and [illegible] on 13th nov 1921 they mean to [illegible] galaxies of both Hindus and [illegible]

be held to celebrate it.

[illegible] success where management and well ending
is chiefly due to my supervision and exertions.
I therefore most humbly beg leave to bring
to your notice the hearing to some day able to [illegible]
for which we shall all be ever [illegible]

[illegible]

Sir
Your most obedient humble servant
Syed Mohiyuddeen Hussain



POSTS & TELEGRAPHS.

This form must accompany any enquiry made respecting this Telegram.

Office Stamp.

BANGALORE H.O.

Charges

Words.

Service Instructions.

Recd. here at M.

Chetal oroof 7 8 5 20

9. E. 31

OP copy

Reply to our telegram regarding Commission receipt

Starting for Periyapatna this

9th instant ~~appeal~~ ~~off~~ opponents

want adjournment pray refusal

adjournment

Abdulgaffoor.

Rs 0 12 0

INLAND REPLY VOUCHER

A sum of *Rs. x x x [illegible] having been deposited for a reply to a telegram No. 9 handed in at Chital drug 7th 8 11 5 M., this Form will be accepted within two months of the date of the issue of the Telegraph Office in payment or in part payment, as the case may be, of an Inland Telegram.

BANGALORE CITY 7 NOV. 21 TEL.

Signature of Issuing Clerk Shamsundara

* NOTE.—The sum paid must be written in words, not in figures.

N.B.—If this form be not used, the amount deposited will be refunded on production of the original Telegram receipt granted by the Sub-Office to the Deputy Accountant General, Telegraphs, Calcutta, [illegible] application for the return of the amount will be entertained [illegible] Rs. 2 will be deducted from the amount to be refunded under the rules stated above. A refund cannot be made on a Reply telegram form which has been prepared by affixing Reply Telegraph stamps.

ADDITIONAL SPACE FOR STAMPS.

The *ACCURACY* of telegrams is not guaranteed. Claims for loss must be made *AT OWN RISKS* arising from [illegible] railways, etc., or delays. *Complaints* respecting this telegram should be addressed to the Director General of Posts and Telegraphs, Fraser's Buildings, Calcutta, within two months of the date of the telegram. The receipt granted for the telegram should be produced with the reference. For detailed rules, see the *Telegraph Guide* (price 4 annas).

Lal Chand & Sons, Calcutta—No. 328 P. O.—3-11-15—6,000 Bks.

27089

2257

11-22

Mus

ST

To the Imperial Secretariat

Bangalore

Sir,

In continuation of my last prayer I humbly represent as follows:-

I had brought to your kind understanding how I was unable to go to Bangalore on 7.12.1921 to attend the hearing owing to the breaking out of plague in Mettupalayam and my mother's falling a victim to the epidemic. I now inform you with sadness of heart that just yesterday the paternal-brother of the boys which is no little sorrow. In addition two of my younger sisters aged about 18 and 24 are down with the same. I have now shifted myself to the Chatram and am busy building a shed. Hence you can imagine in what miserable state I am. I therefore again respectfully request you once again to kindly adjourn the hearing since I am not all in a position to go over to Bangalore. Hope my humble request shall be granted.

Yours obediently

Sd/- Illegible

Chidambaram

4th December 1921

968

To

REV. SECT.
DEC 1921

The Inspector Secretary
Bangalore

2234

21 22

ST
3/12/21

Sir,

I most humbly beg to represent as follows:-

A notice has recently been served upon me asking me therein to appear before you with my people on [illegible] in connection with the appeal of Khadir Mohiyadin Saheb and some others praying for the reappointment of Syed Ali Saheb as the Desai Inamdar Saheb of the place who has been deposed. I most respectfully accept the notice but place before you, in consideration my humble grievances

It is sad to inform you that plague has just broken out in the town. There have occurred five deaths and a much larger no. is already laid [illegible] Rat-falls have been [illegible] there. Sadder still to let you know that my own self has also fallen a victim to the disease and is in a state of unconsciousness. I have now left, [illegible] my children & to Shiggaon in my family besides my daughter [illegible] at the Inamdar Bungalow and [illegible] when. Dam therefore [illegible]

the deaf hearing aid may from
a Government.

I beg to remain
Sir.
Your most Obedient
Hyde Hospital Board
per Clerk
Chiltern

Chiltern
3rd December 1921

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 1.12.21

Signed by .....

Section Dr. Cell

File No. L-1-17

Serial No.

No. 2846

To

To

The Dy Comr

Chittagong Dt.

Sir,

I am directed to append below a copy of a telegram issued to you today and to state that the date of hearing will be fixed & intimated

Cancelling the Peshi. Inam case

over.

Bjon ni due cons

Jhave re

In Mandez

6/10/74

Both Imam case adjourned. Phase to form parties.

List of enclosures.

Copied by

Examined by

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record]

Express.

To

Deputy Comm^r.

Chitaldrug

Pesh Imam.

Case adjourned.

Please impress

parties.

Murrai Lee^r.

6/12/24

6.12.24

A list of routine notes between small slips
the notes must be written on slips pasted on
this form

W D 1850—GPB—1 50 000—2/5 21

(4 R. S III -3)

ROUTINE NOTES.

[To be used only for notes, requisitions etc., not intended for permanent record.]

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

MUZRAI

~~GENERAL AND REVENUE~~ SECRETARIAT

Dated Bangalore, 6th December *1921.*

No.

From

T.E.Jayarama Aiyar Esq., B.A., B.L.,

Secretary to the Government of His Highness the Maharaja of Mysore

.... Muzrai. .Department.

To

The Deputy Commissioner,

Chitaldrug District,

CHITALDRUG.

Sir,

I am directed to append below post copy of ~~the~~ telegram issued to you to-day regarding the Peth Imam case and to state that the date of hearing will be fixed and intimated to you in due course.

~~"Peth Imams case adjourned, please inform parties."~~

I have the honour to be,

Sir,

Your most obedient servant,

for Secretary to Government,

Muzrai Department.

Post copy of telegram —

Peth Imam's case adjourned.

Please inform parties

~~Post copy~~ 8/2

—

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to

General and Revenue Secretariat

( )

, the *191* .

Date of issue 15/12/24

Signed by

Urgent

Section Jus...

File No. 577-19

Serial No.

No. 2800

To

The Dy Com^r

Chittaldrug Dt^o

Sir,

I am to refer to your office letter No. 2846/Misc 577-19-19 dt 6.12.24 stating that the Kotha Imam case has been postponed and that the date of hearing ~~will be~~ will be fixed & intimated by you. I am directed to state

over.

that the case will
be heard ~~at the~~ on the
Monday the 9th Jan. 22
and request that the
parties may be asked to
appear ~~on that~~ at 12 noon
on that date. (They may
be informed that no
further postponement will
be granted, and that in case either of
the parties fail to appear
the case will be disposed
of in its merits. (In Chamber

Dec 2 Mun Dept

Dec 15/12/21

Dec 2 Mun Dept

84
10/12/21

List of enclosures.

Copied by

Examined by

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read --

Government Order No.649-50/Muz.735-18-2 dated 21st August 1919 sanctioning the appointment of Syed Mohiyaddin Hussain Badasha Sahib, Khaji of the Chitaldrug Town, as Sir Khaji of the Chitaldrug District, in succession to his father, and permitting him to appoint, subject to the approval of the Deputy Commissioner, a qualified person to discharge the Khaji's duties at the Masjid and Town during his absence from head-quarters.

2. Petition registered No.1630 dated 19th February 1920 from ~~the~~ certain Mohamadan ~~public~~ of Chitaldrug Town, praying for the appointment of a Pesh Imam in the Mosque at Chitaldrug.

3. Petition dated 26th May 1920 from certain other ~~class of~~ Mohamadans of Chitaldrug stating that ~~they do not want the 2nd Pesh Imam proposed to be appointed by the Deputy Commissioner and that~~ the Pesh Imam appointed by the Sir Khaji ~~will quite do~~ is quite enough for their needs and that the appointment of an additional Pesh Imam is unnecessary

4. Correspondence ending with letter No.S.C.393 of 19-20 dated 6th September 1920 from the Deputy Commissioner ~~furnishing a history of the case from the outset till the issue of Government order in August 1919 and stating that there are no grounds to reopen the case.~~ Chitaldrug submitting a report in the matter

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O r d e r -- No. 1521-3 / Muz 517-19-21,

Dated Bangalore, 13 The October 1922.

The mosque at Chitaldrug is an old Muzrai Institution and neither of the contesting parties (the Sir Khazi ~~and~~ or the Pesh Imam) has any personal hereditable interest ~~thus~~ in the same. The Sir Khazi of the Chitaldrug District has been, by virtue of his office, placed in charge of the mosque, but his management not having been

quite satisfactory, complaints have been made against him and Government have also had to interfere on several occasions to set matters right. The question of the appointment of a Pesh Imam to the Mosque is an old dispute which has not been satisfactorily solved ~~and~~ on account of which there has been considerable feeling against the Sir Khazi. Owing to differences between the then Sir Khazi and the Pesh Imam, the appointment of a separate Pesh Imam was done away with in 1905. The present Sir Khazi of the District, who was then the Town Khazi, was looking after the duties of Pesh Imam, but the adherents of the thrown out Pesh Imam never ceased agitating for his reinstatement. But so long as the duties of the Khazi were confined to the town of Chitaldrug there was no serious inconvenience caused to the Mahomadan public and the agitation in favour of the displaced Pesh Imam did not gain favour with the general public. But in 1919, the then Sir Khazi having retired from Office on account of old age, his eldest son who was looking after the duties of the Town Khazi was appointed Sir Khazi of the District and this necessitated the appointment of a separate Pesh Imam, as ~~his~~ the duties of the former are of a touring nature and he cannot be expected to be present in the mosque five times a day to lead the prayers. Government in their order No. 649-50/Rlg 785-18-2 ~~2947~~ dated 21st August 1919, allowed the Sir Khazi to appoint a Pesh Imam, subject to the approval of the Deputy Commissioner, and the Sir Khazi chose his younger brother to the office who is stated to be an official in the District Excise Office, Chitaldrug. It is not known what the educational qualifications of this man are, but it was obviously impossible for him to attend the mosque regularly five times a day at the stated hours of prayers, two of which at least fall within his office hours. This seems to have caused

considerable dissatisfaction to the public and the old agitation in favour of the thrown out Pesh Imam has been revived.

2. The order of the Government which is likely to be construed as recognising the right of the Sir Khazi to appoint the Pesh Imam is based upon the recommendation of the Deputy Commissioner, which unfortunately proceeds upon a wrong interpretation of the terms of the Sannad granted to one of the ancestors of the Khazi in May 1814 by the Adalat Cutcherry. The Sannad is written in the Persian Language, and naturally, there has been some mistake in understanding the precise scope of its terms. The Deputy Commissioner says that under the terms of the Sannad 'the Kasba of Chitaldrug belongs exclusively to the Sir Khazi and that its affairs may be managed by him personally, or, by any one to be deputed by him'. This is not a correct rendering of the terms of the Sannad. The Sannad enjoins upon the Sir Khazi the duty to watch over the religious practices and observances of the people, to see to the education of Mahomadan youths and the spiritual welfare of the people and to appoint Naibs, or assistants, generally throughout the District for the conduct of Nikhah ceremonies and for performing the 'Zibah'. The passage referred to by the Deputy Commissioner literally translated runs as follows:-

3. "Besides the Kasba of Chitaldrug, there are twelve Taluks attached to the District of Chitaldrug and all the Naibs of these places have been placed under your control." It is clear from the language of the Sannad that the Khazi has not been given the control and superintendence of mosques. Indeed such powers could not have been vested in him as, under the Mahomadan law, the duties of Khazi are distinct from those of Mutuwalli, who alone is invested with authority to manage the affairs of a mosque to which

he may be appointed. The duties of the Khazi have been correctly laid down in the Muzrai Manual and the superintendence and control of mosques is not one of them. If it was intended in the Sannad to give, what is technically called, 'the Towliat' to the Khazi, the fact would have been specially mentioned in the Sannad given to him. In the absence of any such special authority conferred upon him, the Khazi cannot appoint Mutuwallies to mosques and the practice in the Muzrai Department is for the Government themselves to make such appointments in Government Institutions at Mysore and Seringapatam. The Government Order of 1919 will therefore be modified to this extent that the Deputy Commissioner in the Muzrai Department alone will appoint the Peish Imam of the Chitaldrug Mosque. Of course he will consult the Khazi and other respectable Muslim inhabitants before making a selection but it is not necessary that the Khazi should in the first instance make the nomination.

4. As regards the present incumbent of the office of the Peish Imam, the Deputy Commissioner may confirm him in his appointment if he resigns the service and is otherwise fit to discharge the duties of his office. If he is not to be confirmed, then the Deputy Commissioner may ~~appointment~~ appoint a man, preferably an outsider, who may be acceptable to a great majority of the people of Chitaldrug though not to both the parties. The Deputy Commissioner may fix a suitable salary for the Peish Imam out of the income of the mosque. The stipend given to the Sir Khazi is for the duties of Sir Khaziship and he is not bound to contribute anything towards the expenses of the mosque including the pay of the Peish Imam or Muezzin.

5. As regards Syed Mohieudin whose claims for Peish Imamship have been urged by a section of the Mahomadans, it may be stated that he has failed to establish his

hereditary right to the office. The Government had every authority to dispense with his services as they did in 1905 and in fact no other course was open to them under the circumstances of the case. The proposal of the Deputy Commissioner (Mr. ~~Syed Taj Peeran~~) to appoint him as a 'Duam' or Second Peish Imam does not commend itself to Government.

Secretary to Government,
Revenue Department.

To

The Muzrai Commissioner in Mysore

The Deputy Commissioner, Chitaldrug District,

~~returning the records.~~

The Comptroller to Government.

GKV.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. 1521-3 Muz. 517-19-21, dated 13th October 1922

Pesh Imam.

Passes orders regarding the appointment of a ---- at Chitaldrug Town.

READ—

Government Order No. 649-50—Muz. 735 18 2, dated 21st August 1919, sanctioning the appointment of Syed Mohiyaddin Hussain Badasha Sahib, Khaji of the Chitaldrug Town, as Sir Khazi of the Chitaldrug District, in succession to his father, and permitting him to appoint, subject to the approval of the Deputy Commissioner, a qualified person to discharge the Khazi's duties at the Masjid and Town during his absence from headquarters.

2. Petition registered No. 1630, dated 19th February 1920, from certain Mohamadans of Chitaldrug Town, praying for the appointment of a Pesh Imam in the Mosque at Chitaldrug.

3. Petition dated 26th May 1920, from certain other Mohamadans of Chitaldrug, stating that the Pesh Imam appointed by the Sir Khazi [illegible] needs and that the appointment of an additional Pesh Imam is unnecessary.

4. Correspondence ending with letter No. S C 393 of 1919-20, dated 6th September 1920, from the Deputy Commissioner, Chitaldrug District, submitting a report in the matter.

ORDER NO. 1521-3—MUZ. 517-19-21, DATED 13TH OCTOBER 1922.

The mosque at Chitaldrug is an old Muzrai Institution and neither of the contesting parties (the Sir Khazi or the Pesh Imam) has any personal hereditable interest in the same. The Sir Khazi of the Chitaldrug District has been, by virtue of his office, placed in charge of the mosque, but his management not having been quite satisfactory, complaints have been made against him and Government have also had to interfere on several occasions to set matters right. The question of the appointment of a Pesh Imam to the Mosque is an old dispute which has not been satisfactorily solved on account of which there has been considerable feeling against the Sir Khazi. Owing to differences between the then Sir Khazi and the Pesh Imam, the appointment of a separate Pesh Imam was done away with in 1905. The present Sir Khazi of the District, who was then the Town Khazi, was looking after the duties of Pesh Imam, but the adherents of the thrown out Pesh Imam never ceased agitating for his reinstatement. But so long as the duties of the Khazi were confined to the town of Chitaldrug there was no serious inconvenience caused to the Mahomadan public and the agitation in favour of the displaced Pesh Imam did not gain favour with the general public. But in 1919 the *then Sir Khazi having retired from office on account of old age* his eldest son who was looking after the duties of the Town Khazi was appointed Sir Khazi of the District and this necessitated the appointment of a separate Pesh Imam, as the duties of the former are of a touring nature and he cannot be expected to be present in the mosque five times a day to lead the prayers. Government in their Order No. 649-50—Muz. 735-18-2, dated 21st August 1919, allowed the Sir Khazi to appoint a Pesh Imam, subject to the approval of the Deputy Commissioner and the Sir Khazi chose to the office his younger brother who is stated to be an official in the Distt. Excise Office, Chitaldrug. It is not known what the educational qualifications of this man are, but it was obviously impossible for him to attend the mosque regularly

five times a day at the stated hours of prayers, two of which at least fall within his office hours. This seems to have caused considerable dissatisfaction to the public and the old agitation in favour of the thrown out Pesh Imam has been revived.

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4. As regards the present incumbent of the office of the Pesh Imam, the Deputy Commissioner may confirm him in his appointment if he resigns the service and is otherwise fit to discharge the duties of his office. If he is not to be confirmed, then the Deputy Commissioner may appoint a man preferably an outsider, who may be acceptable to a great majority of the people of Chitaldrug though not to both the parties. The Deputy Commissioner may fix a suitable salary for the Pesh Imam out of the income of the mosque. The stipend given to the Sir Khazi is for the duties of Sir Khaziship and he is not bound to contribute anything towards the expenses of the mosque including the pay of the Pesh Imam or Muezzin.

5. As regards Syed Mohieudin whose claims for Pesh Imamship have been urged by a section of the Manoufacturers, it may be stated that he has failed to establish his hereditary right to the office. The Government had every authority to dispense with his services as they did in 1905 and in fact no other course was open to them under the circumstances of the case. The proposal of the Deputy Commissioner to appoint him as a 'Duam or Second Pesh Imam does not commend itself to Government.

Secy. to Govt., Rev. Dept.

To—The Muzrai Commissioner in Mysore
The Deputy Commissioner, Chitaldrug District.
The Comptroller to Government.

R.

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File No.

Serial Nos.

190 .

GENERAL AND REVENUE SECRETARIAT.

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Part A: Manuscript
for

Serial Nos.

G.P.B.—5,000—20-3-06.